Daily Report

Latin America

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FBIS-LAT-89-135 *17 July 1989*

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Cuba

Reportage on Court-Martial of Ochoa, Others

'Summary' of Third Session

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["Summary" of the third session of the court-martial of Division General Arnaldo Ochoa Sanchez and 13 other Revolutionary Armed Forces, FAR, and Interior Ministry, MININT, officers at the FAR Universal Hall in Havana on 3 July—recorded]

[Text] [Division General Ramon Espinosa Martin] Defendant Jose Luis Pineda Bermudez, please stand and face the tribunal. The law gives you the right to testify or remain silent. Do you wish to testify?
[Pineda] Yes.

[Espinosa] Please answer the questions that will be asked by the prosecutor.

[Brigadier General Juan Escalona Reguera] Defendant Jose Luis Pineda Bermudez, also known as Willy: You were a first lieutenant at the MININT with 15 years of service.
[Pineda] Yes.

[Escalona] Is that correct?
[Pineda] Yes.

[Escalona] When did you start working for the MC [MININT department responsible for bypassing U.S. embargo on Cuba]?
[Pineda] After the MININT's Control Directorate was abolished, I was transferred to the MC.

[Escalona] What year was that?
[Pineda] In 1986.

[Escalona] But you had been working for the ministry's Control Department?
[Pineda] The Control Directorate.

[Escalona] The Control Directorate. How many years did you work there?
[Pineda] Approximately 2 years.

[Escalona] Defendant, when, where, and how did you learn of the drug trafficking activities carried out by the MC?
[Pineda] I heard about those activities in early 1988 when I was in Mexico City. I heard of these activities from Amado Padron.

[Escalona] Excuse me, you started working for the MC in 1986?
[Pineda] Yes, in 1986.

[Escalona] You were sent abroad immediately after you started working?
[Pineda] No. My first mission abroad was in late 1987.

[Escalona] In 1987. And in 1988, while you were in Mexico, you met Amado Padron. Please continue.
[Pineda] In late 1987 I returned to Havana, and in early 1988 I went back to Mexico. A few months after my arrival, Amado Padron came to visit and informed me of these activities.

[Escalona] How did he tell you about these activities.
[Pineda] While I was in Mexico I was advised of his visit. Padron arrived with two Colombians. That was when Padron told me that his group was involved in some drug trafficking activities. He told me that the Colombians did not deal in emeralds; they were involved in drug trafficking. He told me that the activities were carried out in international waters near Cuba. He told me that small boats were used for these operations. That is what I was told in early 1988.

[Escalona] When did your relationship with Padron begin?
[Pineda] When I started working for the department.

[Escalona] What crossed your mind when Padron told you about his activities when you hardly knew him?
[Pineda] I do not know.

[Escalona] Willy, he was risking the possibility that you would talk.
[Pineda] I could have.

[Escalona] Why did you not talk?
[Pineda] It was a weakness on my part; it was a mistake.

[Escalona] Did you think that Cuba was involved in drug trafficking?
[Pineda] No, no way, no.

[Escalona] Did you ever think of doing something to stop what was going on?
[Pineda] I never thought of it.

[Escalona] Defendant, did you ever think of Cuba? What did Amado Padron offer you?
[Pineda] Absolutely nothing.

[Escalona] What about all that money, all those suitcases full of money you picked up in Mexico? Did some of that money end up in your hands?
[Pineda] None.

[Escalona] Then you are a drug trafficking patriot. You sacrificed your prestige as a revolutionary, you sacrificed your honor and your dignity, and you endangered Cuba in exchange for what? For money? How can you explain

throwing away all those years of service for the MININT? How can you explain throwing away personal prestige, the trust and respect people had in you, to become nothing more than a vulgar drug trafficker?
[Pineda] There is no explanation.

[Escalona] Willy, there must be something that can explain your behavior. What did Padron know about you? Did he use blackmail?
[Pineda] No, he did not. Early in 1988 Amado Padron asked me to look for a Mexican who would work with the Colombians in getting the drug from Colombia to Mexico and from Mexico to the United States.

[Escalona] And afterward?
[Pineda] After that I came to Havana and met with Tony de la Guardia. Tony explained that he did not want to get me involved in this kind of activity. He said that, once all introductions among the Colombians and Mexicans had been made, I would not participate in any of the activities that would take place in order to avoid implicating me in any way. This is what happened. In other words, the only meetings I attended were coordination meetings between the Mexicans and Colombians.
My impression was that if anything (?shady) was going on I should not be present; that they should do the coordination directly among themselves; that the commission would be collected in Panama through Amado Padron; and that I would go to Panama to collect the commission that was owed for this liaison work.

[Escalona] What percentage were you going to receive for the drug smuggling through Mexico?
[Pineda] I think it was between 3 to 5 percent of the total value of each shipment.

[Escalona] Did the Mexicans visit Havana?
[Pineda] The Mexicans visited Havana for two purposes. The first was to discuss tobacco smuggling into the United States. It was said the two visitors were Mexicans, but this was inaccurate. Only one was; the other one looked American, although he actually was a Mexican citizen. This American said he was in a position to smuggle the tobacco, but drug smuggling was not discussed with him. He was the one who suggested that he could launder money through U.S. banks. The Colombians with whom he met were not interested in the money laundering at all. This was the meeting in which I participated with other Colombians whom I had not met before.

[Escalona] [Question indistinct]
[Pineda] I do not know with whose help they arrived in Cuba. (?Carlos) learned that I took the Mexicans to that meeting.

[Escalona] Willy, where did you get to know Martinez?
[Pineda] I met Martinez at Amado Padron's office here in Havana, approximately in...

[Escalona, interrupting] And?

[Pineda] During 1988. On that occasion, well, Martinez asked me in front of Amado if I had, that is, if I could—with these same Mexicans—do some drug trafficking jobs, but with Colombians he knew. I explained to Martinez that this could be done but only under the right conditions. I said the situation in Mexico was not very good for this type of activity, or at least the Mexicans I knew did not have the proper facilities. I said we had to wait.
Martinez called me two or three other times. I saw him again that year, and he always insisted on the matter of the Mexicans. Actually, nothing was ever done through Mexico. [Words indistinct] and, besides, this coincided with the arrest during a raid of Mexico's drug-trafficking czar, Felix Gallardo, when his entire organization was dismantled. I guess because of that, the Mexicans were not able to carry out the plan.

[Escalona] Willy, did Amado Padron tell you to go to Panama?
[Pineda] Yes.

[Escalona] When was that?
[Pineda] I think it was in 1988, perhaps in late 1988.

[Escalona] In late 1988. Whom did you find when you arrived Panama?
[Pineda] I found out that, coincidentally, Martinez was in Panama.

[Escalona] Who else? Who was Martinez with?
[Pineda] I saw Martinez alone in the house of...[changes thought] He had the apartment in Panama. Then other Colombians introduced themselves to me.

[Escalona] However, you said during your testimony—and I quote—that when you arrived in this country, in Panama, the matter to be discussed had not been specified. That is, Amado Padron called you and told you to go to Panama but did not specify anything. When you arrived in Panama, you found Captain Martinez, Gen Ochoa's aide, was there together with Amado; you discussed with them other plans to smuggle cocaine through Mexico, cocaine brought by Martinez; and Martinez needed to be put in contact with Mexican drug-traffickers to smuggle cocaine to the United States through Mexico. Regarding this conversation and the request from Martinez, the defendant alleges he said the objective conditions for this activity did not exist for the time being and that should the possibility exist later, he would send a message through Amado Padron himself.
[Pineda] That is correct.

[Escalona] What impression did you get from Captain Martinez?
[Pineda] The impression I got from Martinez was that he was eager to do business for money. I do not know his purpose—that is, if he wanted money to give to someone else or for himself. However, I always had the impression he was eager to carry out business deals, and...

[Escalona, interrupting] Did he give you the impression he could somehow be important?
[Pineda] No, he did not. He gave me the impression...

[Escalona, interrupting] Did he tell you who he was working for?
[Pineda] Yes, I knew.

[Escalona] Since when?
[Pineda] Padron told me here in Havana that Captain Martinez was Ochoa's adjutant.

[Escalona] Did he ever speak to you about Ochoa?
[Pineda] I do not remember. I supposed everything Martinez did was authorized by Ochoa, because Martinez was his assistant and moved freely, but I cannot remember Martinez speaking to me about Ochoa.

[Escalona] So you do not remember. What did you and Amado Padron do approximately a month ago?
[Pineda] Padron gave me $20,000.

[Escalona] To pay for your services?
[Pineda] He told me this money was for work previously done and that he had decided to withdraw a certain amount to distribute it among the various comrades.

[Escalona] You accepted the money, of course.
[Pineda] No, I did not.

[Escalona] What did you do with the money?
[Pineda] I used $5,000 to buy a car and kept the other $15,000 to take to Mexico on my return trip. An agreement had been reached with a Mexican who was there—this is another commercial relationship—to purchase an apartment. We could not stay where we lived because the official's wife had arrived in Mexico. This is why we agreed to buy an apartment. I planned to use the $15,000 as a down payment on the apartment if I did not receive any additional money and even if the $15,000 would not be reimbursed to me later on. This operation was necessary; otherwise, we would not have had a place to live in Mexico. This was my initial intention.

[Escalona] What did you do with the money when you were summoned by the security department?
[Pineda] I took with me the $15,000 I had at home. The next day, I delivered the remaining $5,000, which I did not have at home at the time because I had given it to a comrade to buy a car for me, considering that I was planning to go to Mexico.

[Escalona] Were you summoned or taken to the security department?
[Pineda] I was summoned.

[Escalona] You said you brought with you only $15,000 the day you were summoned instead of the full amount.
[Pineda] Yes, $15,000.

[Escalona] Acting dishonestly, you delivered the rest of the money to the judge only after you were requested to do so.
[Pineda] Yes.

[Escalona] So you were dishonest up to the last moment. You began by being dishonest toward Cuba, the MININT, and yourself, and ended up being the collaborator of a drug trafficker, a dishonest person who conceals the drug-trafficking money even at the moment of detention. Is this not so? That is all, Mr President.

[Espinosa] The defense lawyer has the floor. Pineda Bermudez, answer the questions to be asked by the defense lawyer.

[First Lieutenant Esther Recio Zamora] Comrade President.

[Escalante, interrupting] Silence in the room.

[Recio] There are some aspects regarding the defendant's testimony and the questions asked him; we deem it necessary to point out a few things. Pineda, did you receive any decorations and incentives during the 15 years you served in the MININT that you can tell us about?
[Pineda] I received a medal for 10 and 15 years of service and a silver medal for 30 years of work at the MC.

[Recio] We have pinpointed the time you began working for the MC. We have specified the time when you were appointed permanent representative of the medical department. Something remained unclear to me yesterday, however. Defendant de la Guardia said you received orders from him concerning certain activities while he received instructions from defendant Padron. Pineda, specifically who was your boss? To whom did you answer?
[Pineda] This is a little ambiguous.

[Recio] Yes.
[Pineda] The department comrades living permanently abroad usually answered directly to the department head. In this case, it was Tony. In my specific case—I suppose the same is true of the Panama case—because of these same activities, some commercial and others related to drug trafficking, I was included in Amado Padron's section. This is to say, the responsibility was split.

[Recio] In other words, from that point on, you worked directly for Amado Padron?
[Pineda] Yes.

[Recio] Pineda, I must establish something of interest. Did you have specific, total knowledge of these drug-related activities when your boss Padron first visited Mexico during the 1st quarter of 1988 to collect this money? Did you learn about these activities then?
[Pineda] Yes.

[Recio] It was at that moment?
[Pineda] I did not know...

[Recio, interrupting] Prior to this, you did not know about the operations being carried out?
[Pineda] I knew absolutely nothing.

[Recio] During that visit, apart from other purposes that have been discussed in this room, such as the collection of funds from previous operations carried out in Varadero, how did Padron tell you, speak to you, or point out to you—other terms have been used—that contact would be sought between the Colombians and Mexicans? Specifically, how did he instruct you to carry out this operation?
[Pineda] He told me these contacts were necessary as an alternate solution. I found out later it was an effort to eliminate this type of activity in Cuba. I really was not aware of the magnitude of the activity in Cuba. That is how it happened in my case.

[Recio] That is how it happened. Willy, you also knew—because Amado must have told you at some point after his visit to Mexico—about the operations carried out in Cuba. How much did you know about the operations already under way in Cuba? How many specifics did you know concerning the magnitude of what was really going on; how much did you really know?
[Pineda] What I knew about this activity I found out by reading the comrade prosecutor's accusatory conclusions. I knew—because Padron had explained and I had discussed it later in Havana with Comrades Miguel Ruiz and Eduardo—that operations were carried out with boats. However, the discussions I held were always restricted to Padron's group, which included Ruiz and Eduardo. The full scope of the activities was never discussed. That is all I knew. I did not know the extent of the operation and was not in on the secret that the comrades here were involved in this type of activity. I did not know.

[Recio] Good. Willy, let us talk about money now. It is clear Amado Padron gave you $20,000 in June 1989.
[Pineda] Yes.

[Recio] When you were called to the investigations department to discuss this issue, you took $15,000?
[Pineda] Yes, exactly.

[Recio] The prosecutor says you were dishonest when you returned the money, but little has been said about honesty. You have admitted you were dishonest with the money. You told this tribunal you returned $15,000, and you explained that at least in the beginning you had planned to lease an apartment for your stay in Mexico.
[Pineda] Yes.

[Recio] You told us you were at another comrade's home in Mexico. Defendant Padron was also asked yesterday if part of the money to which he had access could be used to lease or purchase that apartment in Mexico. I would like to discuss the honesty issue regarding the remaining $5,000. You told the tribunal earlier that you handed in the remaining $5,000 later because you had left it at the home of a comrade to whom you had also given a letter authorizing the purchase of a car. Explain your dishonesty regarding the money's return. Why did you not return all the money? Why did you turn over $15,000 and then $5,000? You must at least explain this lack of honesty.
[Pineda] I do not want to justify...

[Recio, interrupting] Without justifications, Willy. No.
[Pineda] I do not want to justify my actions. I really...

[Recio, interrupting] We are here...[changes thought] Excuse me, Willy, please. I am not seeking a justification; that would go against our principles. However, an explanation is necessary. You returned the money; did you receive any other money, Willy? Did Padron give you money in dollars or local currency prior to the $20,000 he gave you in June? Did Padron give you any other funds prior to the $20,000?
[Pineda] Yes.

[Recio] Linked to drug trafficking?
[Pineda] Yes. Some months earlier, Padron had given me $3,500 to purchase a vehicle, but the purchase was not made because no vehicle was available. The money was used to make four payments pending at the Intelligence General Directorate [DGI] and to partially pay for a room for a commercial contact who had arrived, the same contact who had come before and had stayed at the apartment.

[Recio] Then you did not take the $5,000 on the same day you took the $15,000?
[Pineda] That is correct. I should have taken the $20,000 the day I was summoned to Villa Marista. I should have done that, but I was late leaving my house. I did not have the $5,000 with me at my house; it was at a friend's house. I was preparing to leave for Mexico, and he was going to buy the car. So I took the money the next day. I have no other excuse for this.

[Recio] Willy, tell us briefly how you contributed to the clarification of the incidents we are discussing today.
[Pineda] I wrote a report explaining my part in the matter. The second time I was summoned to the Villa Marista offices, I submitted the report. The report also included information I had heard from other comrades. I said in the report that if I had overlooked something, it was not because I refused to include it but because I had forgotten it. In essence, I mentioned the main aspects.

[Recio] Willy, the prosecutor's report states on 20 April you met with Martinez in Havana. Was this after Padron visited you in Mexico?
[Pineda] Yes.

[Recio] After Padron's visit to Mexico?
[Pineda] Yes.

[Recio] One last question, Luis Pineda: In light of all that has happened, now that you are aware of the real consequences of your actions, how would you evaluate the whole situation? The prosecutor described you as a drug-trafficking patriot. From your viewpoint, from your honest and objective viewpoint, please tell us what you think about what has been said here today and for the past few days.
[Pineda] I fully agree with everything all those who have spoken before me have said. I am aware of the serious mistakes I have made. I am aware of the damage I have done to the revolution, the party, and the institution. I only hope the greatness and purity of the MININT will not be hindered by the rash actions of this group of adventurers who stand here before you. If the revolution were to give me another chance, I would try to amend my mistakes, retake the correct path, and live the life of a true revolutionary.

[Recio] That is enough for us, thank you.

[Espinosa] Does another defense attorney wish to ask more questions? Defendant Pineda Bermudez, you may step down. Defendant Gabriel Prendes Gomez, please stand before the tribunal. Defendant Prendes Gomez, the law gives you the right to testify or remain silent. Do you wish to testify?
[Prendes] Yes.

[Espinosa] Defendant Prendes Gomez, please answer the questions asked by the prosecutor.

[Escalona] Defendant Gabriel Prendes Gomez, you served 25 years for the MININT?
[Prendes] Yes.

[Escalona] You had the rank of major?
[Prendes] Yes.

[Escalona] Prendes, when did you begin stealing? At the MININT? At the National Tourism Institute [INTUR]? When you began working for the MC?
[Prendes] When I began working for the MC.

[Escalona] Why?
[Prendes] You are asking me when I began...

[Escalona, interrupting] When did you begin stealing?
[Prendes] Not stealing. Drug trafficking, yes; I can tell you when I began, but I did not steal...

[Escalona, interrupting] You mean you did not steal when you were working for INTUR [National Tourism Institute]?
[Prendes] No.

[Escalona] Then why did you steal from the boatmen?
[Prendes] I did that, but it was after I began working for the MC.

[Escalona] What is it about the MC that turns people bad? Is it Amado Padron?
[Prendes] No.

[Escalona] Tell the court how much you stole from the boatmen.
[Prendes] Who?

[Escalona] Tell how and the amount you stole from them.
[Prendes] In April 1984, I began my relationship with these men.

[Escalona] What men?
[Prendes] Excuse me?

[Escalona] The boatmen, the drug traffickers?
[Prendes] Excuse me, first I would like to talk about my drug- trafficking activities and then talk about the rest.

[Escalona] I was reading your confession, and I think that...
[Prendes, interrupting] What I am saying is...

[Escalona, interrupting] Everything you have done is bad; absolutely everything you have done is bad. You were told to take care of the boatmen who live in the United States—Carlos Rivas, Juan Carlos Rivas, Julio Alegre, Agustin, Elio, etcetera—and you robbed them. You exchanged dollars for pesos, and you have confessed to pocketing 50,000 pesos. Was that pesos or dollars?
[Prendes] No. It was 50,000 [currency not specified], but when the exchange is done, the Cuban currency increases to a maximum. That is why I wanted to talk about my drug-trafficking activities and then about this other thing, because the topics are related. If you allow me...

[Escalona, interrupting] My allowing you is not the point; you can say all you want as long as you clarify this situation.
[Prendes] I will tell you all about it. In September 1987, the comrade chief of the section where I worked asked me to accompany Comrade Rosa [Rosa Maria Abierno Gobin] to board a launch. I already had experience with the boatmen; I had been working with them for 3 or 4 months, so I agreed to help her. She knew about other things but not about the boatmen.

[Escalona] Had you previously participated in this kind of activity or was this the first time?
[Prendes] This was the first time; I had not participated previously.

[Escalona] Never?
[Prendes] In drug-trafficking activities? No.

[Escalona] Did Elmer [Alexis Lago Arrocha] approach you about drug trafficking?
[Prendes] No.

[Escalona] Who did?

[Prendes] No one did. That was when I started...

[Escalona, interrupting] When you began, did you know about things or not?
[Prendes] No. I did not participate in the first operation Elmer and the other comrades participated in. However, I was...

[Escalona, interrupting] So you went with Captain Rosa Maria?
[Prendes] Yes, and that was the first operation I participated in.

[Escalona] Did you know you were going to pick up the boatmen?
[Prendes] We were going to pick up some boats.

[Escalona] For a drug operation?
[Prendes] First, I boarded the boat; then I found out about the drug business and participated...

[Escalona, interrupting] Who told you about this?
[Prendes] The comrade and I talked about it.

[Escalona] You carried out operations as an MC member under Elmer?
[Prendes] Yes.

[Escalona] Without being aware that these were drug operations?
[Prendes] First, I was asked to help them get some boats, because Rosa had no experience. She brought in some equipment. While we were talking about the first operation...
[Escalona, interrupting] Excuse me, you are a MININT major; at that time you had 23 or 24 years of service with the MININT. You did all that and then joined a group of drug traffickers, and your conscience never bothered you?
[Prendes] That is correct.

[Escalona] Did you have a conscience?
[Prendes] At that time, I did have a conscience.

[Escalona] And you exchanged it for dollars?
[Prendes] I probably did.

[Escalona] You sold your conscience for dollars or for cocaine? Tell the court how you robbed the boatmen.
[Prendes] We went ahead with the operation; it went well, but we did not charge for that operation. The second operation came 15 or 20 days later. The three comrades who always participated with me in the other operations and Comrade Rosa took part in it. We picked up the merchandise in Varadero and took it to Santa Marta, where we should have delivered it to the boat; however, there was bad weather, so we returned to Santa Maria and remained in a rented house for 3 days. We then returned to Santa Maria, put the merchandise on the boat, and sent it abroad.

In June 1988, I participated—even though the prosecutor's report said that I did not—in coordinating Raulito's [not further identified] operation that called for taking the "Miss Ida" from Jamaica to the United States. I later learned the "Miss Ida" was stopped, but I did not know if Comrades Tony and Elmer took care of that. I do know the boat was taken care of, but I was not involved in that case. I must add that Comrade Elmer always warned us about the dangers of a plane and that we should not get involved in that type of operation, which is why we started other operations.

The fourth operation I participated in was with the "Ali Baba." That was my operation. I coordinated it with Sanchez Lima and Elmer. We agreed this should be carried out 30 miles off shore. Two boats were to pick up the merchandise, but a big ship was also needed. The merchandise would be transferred to the boats, and then the ship would sail into Cuba without the merchandise. However, the ship was intercepted by a U.S. ship, and the transfer did not go as scheduled. I will explain that later. The "Ali Baba" came back empty, so we did not charge for the operation. It was said that INTUR was not paid. That was not true. I do not know if our department paid the owner of the ship for his services; that was not my business.

I will continue. Later on, we got in touch with Raulito. Elmer, Sanchez, and myself participated in this operation. This was the operation: The "Luis Grande," Raulito's launch, sailed 18 or 20 miles from Cuba, picked up the drugs dropped on the ocean, and continued on to the United States. The launch sailed from Cuba, but failed to pick up the drugs because other launches apparently tried to intercept it. Therefore, the launch's crew got scared, as is stated in the charges. I carried out my last operation, the one with Raulito, in 1989. Elmer and I participated in this operation. The merchant ship "Lenin" would pick up the cargo between 18 and 20 miles off the Isle of Youth, coast around Aguila, and head for open waters off Varadero. The ship experienced a mechanical malfunction between Pinar del Rio and Havana. Another ship and a few crewmen towed this ship to the Windward Islands, where the ship was repaired, because repairs could not be done in high seas. The ship then continued on to Varadero. The launches found the drugs, picked them up, and departed. The ship remained in the country. These are the six drug-trafficking activities in which I participated.

[Escalona] How much money was seized from you, Prendes?

[Prendes] Nearly 160,000 Cuban pesos and nearly $41,500.

[Escalona] I am finished, Mr President.

[Espinosa] Defense lawyer. Prendes Gomez, answer the questions to be asked by the defense lawyer.

[Manuela Garcia Valdes] Your problems began as soon as you started working for the MC in 1987?
[Prendes] Yes.

[Garcia] Was Comrade Elmer, your superior, aware of the amount of money you had at home?
[Prendes] No.

[Garcia] So he did not know about that?
[Prendes] No.

[Garcia] How many cars did you own?
[Prendes] Only one.

[Garcia] Only one, which was sold to you at a very low price. This is why it was confiscated.
[Prendes] It was sold at a low price out of gratitude. I bought it with Cuban pesos.

[Garcia] What kind of home do you have?
[Prendes] I live in a one-room apartment in a building that has been declared an uninhabitable building under repair.

[Garcia] How many people live there?
[Prendes] Four.

[Garcia] Four people. Why did you not use this hoarded money to buy a home, as some other people have done?
[Prendes] Without trying to disagree with what was said by the comrade prosecutor—who, I believe, has been fair in his judgment—it is true that I did not use it. I could have used it, because I had saved money since 1987. Between 1987 and April 1989, I had saved almost 30,000 pesos. As you can see in my testimony and as the witnesses can confirm in April...[corrects himself] in May 1989, I exchanged almost 130,000 [currency not specified]. Prior to this, I had 30,000 Cuban pesos, with which I could have leased my home, purchased a home, and made several repairs to my home. Yet my home, as can be attested to by the comrades who went to get the money, does not meet minimum standards. This shows I had another idea, which does not justify what was said...

[Garcia, interrupting] Without going into justifications, which is not your role or ours here, why did you have that money in your home if you did not intend to use it?
[Prendes] I did not plan to use it for personal things. As you can see, my participation in drug-trafficking activities was fatal. I was not able to contribute any money to the department—this activity was all at department level. I want to explain this very clearly. The ministry, the high command, Fidel, Raul had nothing to do with it; only we did. We had an idea; perhaps it was superficial, because we could not hand over a dollar without explanation to our superiors. That was my idea, to do so afterward. We had been told we had to bring in boats, sophisticated equipment, etc., etc. Then other individuals would be involved in the money exchange, which is where I could justify the commission. I want to explain this does not justify what the prosecutor charged me with, stealing.

[Garcia] Was it not more logical for you to have that money in a safety box in your office or someplace there?
[Prendes] As you know, Elmer explained our offices were not safe enough. Our office was being repaired. In fact, 1 or 2 months ago, we had been working for the Nautical Department, where there were civilians in charge of the office. I do not have a safety box, so I put it away responsibly. Therefore, I say I am responsible for having put it away in that manner.

[Garcia] Is there anything else you wish to state here in connection with the facts, with the activity?
[Prendes] I feel responsible for what I have done. As some comrades stated—and not wishing to repeat anything or to make demagogic statements—we are solely responsible. We are not making judgments here or saying we were authorized at any level. The only level.... [changes thought] In other words, I was not authorized to do what I did. I knew people as far up as the level of department head. The ministry's high command, the minister, the FAR minister, the party, the Revolution, and Fidel did not know about this. This was a harebrained, crazy adventure of ours. Maybe it was the lust for personal profit or the desire to get a few dollars that led us to commit these errors, which are serious. I am prepared to pay any price necessary for this error. As I say, I admit these are negative tendencies, negative errors, which I will amend if I am given the opportunity. The only thing I will not stop being, even if I receive the maximum penalty, is a revolutionary. This is the only thing I will not stop being, even if I am told I am a criminal, a trafficker—that I am what I am.

We are embarrassed enough before the comrades who knew us and our family. However, we are not embarrassed—that is, please understand we are quite embarrassed and mortified, but we will not be embarrassed to serve a sentence. We will surely serve it honorably and with sacrifices, at any price. I am prepared to answer any question the comrade prosecutor or any other member of the tribunal, may want to ask.

[Garcia] The defense has no further questions.

[Escalona] Mr President, allow me. The fact is, the comrade counsel asked why Prendes' money was not in the bank. Prendes' money was in the refrigerator in his home. It was a safer bank. In addition, as one can appreciate, Prendes lived modestly. He had a modest apartment, with a stock of approximately 10 bottles of whiskey and cases of rum. Mr President, if you or the comrade counsel so wish, I will show all this to you. Here you have Prendes' bank [Escalona shows photographs of the refrigerator].

[Prendes] I request permission to make a point clear, Mr Prosecutor.

[Escalona] As you can realize, this was a prodigious refrigerator. [laughter] Is this your refrigerator?
[Prendes] Yes and no. I admitted I had the money in another place. I admitted it, but this other thing you said about the apartment being modern...

[Escalona, interrupting] I did not say...
[Prendes, interrupting] Modest.

[Escalona] You had cases of rum and whiskey in the apartment. You can live anywhere you want—in a cave—but you enjoy a cushy life. [laughter in crowd] Do you doubt that?
[Prendes] It is possible.

[Espinosa] Comrade Prosecutor, have you concluded?

[Escalona] I just wanted to clarify his situation a little.

[Espinosa] Prendes, answer the questions the defense counsel will ask.
[Prendes] Yes.

[Aristides de la Pena] Were you a subordinate to Amado Padron at any time during your stint at the MC?
[Prendes] No.

[De la Pena] Did Amado Padron have any negative influence over you, as the comrade prosecutor hinted during the first questioning?
[Prendes] No.

[De la Pena] That is all.

[Espinosa] Prendes Gomez, answer another question to be made by another defense counsel.

[Major Raul Martinez Perez] Defendant, you say the first drug-trafficking operation you participated in was to support Rosa Maria?
[Prendes] Yes.

[Martinez Perez] Did you hear what Tony de la Guardia said when I asked him how Rosa Maria had been initiated? He explained to the tribunal that both of you had gone together to visit him at his house to propose this deal to him. Which of the two is the truth?
[Prendes] No, I am sorry; I do not mean to say Rosa was the one who initiated me. I made it clear.... [changes thought] Let me see if I can say it slower. I was instructed to get together with Rosa, because some boats were going to come in. Since she did not know of the mechanisms involved to bring in the boats, I was to help her in this aspect. Then Tony said I participated with her in that operation. This was not my case, but I participated with her. In other words, although I was part of this, it was not my doing. I do not know if I have explained myself.

[Martinez Perez] Perhaps. When I asked Tony de la Guardia how Rosa got involved in drug trafficking, he told me she and you had been to his house together and had invited him to engage in this kind of deal.
[Prendes] Right, no one is denying that; but are you asking me if I was influenced by her of if I influenced her?

[Martinez Perez] No, I did not...
[Prendes continues] ...or if the two of us went together? Yes, that is correct.

[Martinez Perez] However, you said your first mission was to support Rosa.
[Prendes] Excuse me. Let us see if you can understand me. Perhaps the word support does not fit here. Two of Rosa's launches were arriving incorrectly, so I participated with her in arranging for the correct arrival of the launches. This is how the two of us learned about this. In other words, this was her case, she allowed me to participate, and the two of us went to Tony's house. I am not evading my responsibilities in this regard.

[Martinez Perez] I am not saying you are trying to evade your responsibilities. I am just trying to get this clarified.
[Prendes] Yes. However in this case, if you ask me if I was the one who hinted to Rosa the...

[Martinez Perez, interrupting] No, I did not ask that. I told you that you yourself had mentioned that your first drug-trafficking operation consisted of providing some support for Rosa. Then Tony stated here—when I asked him how Rosa had gotten involved in this problem, in this issue—that the two of you together had been to visit him. This is what I understood from defendant De la Guardia's statements: The two of you went to propose that he get involved in drug trafficking. This is what I understood from defendant De la Guardia.
[Prendes] That is correct if you see this from that point of view. I did participate with her; I was aware; and I am also part of this, because we can separate...[rephrases] We cannot separate coordination from participation. The two of us coordinated together, although this was one of Rosa's cases. The two of us coordinated and participated, which is also what I said about Sanchez Lima and myself: The two of us coordinated and participated in the operation. Is that what you mean?

[Martinez Perez] That is all, Mr President.

[Espinosa] Prendes Gomez, answer your attorney's questions.

[Garcia] Can you please explain why you had all those things at your house? Can you explain that?
[Prendes] I think I am responsible for that. I am a very irreponsible person. However, I want to clarify that I did not have boxes full of whiskey. I did buy four or five boxes of rum for my daughter's 15th birthday. However, there were no boxes, I did not buy boxes of whiskey—I had 10 bottles, 8 bottles of whiskey. There may have

been 7 bottles of Napoleon whiskey, but I did not have 10 boxes of whiskey. This has been.... [changes thought] Despite my being responsible... [interrupted by crowd murmur]

[Espinosa] Silence please, silence.

[Prendes] Despite my being responsible, as you said, I had bought five boxes of rum for my daughter's 15th birthday. I am fully responsible for that.

[Garcia] That is all, Comrade President.

[Espinosa] Does any defense attorney want to ask more questions?

[Unidentified speaker] No.

[Espinosa] Gomez Prendes, you may sit. Let's be silent in this room. Defendant Leonel Estevez Soto, please stand in front of this tribunal. Defendant, the law gives you the right to testify or to abstain from testifying. Do you wish to testify?
[Estevez] Yes.

[Espinosa] Respond to the prosecutor's questions to you.

[Escalona] Estevez Soto. You were a captain at the MININT. You served at the ministry for 21 years; is that correct?
[Estevez] Yes.

[Escalona] Your first contacts with drug trafficking began at the MC?
[Estevez] Yes.

[Escalona] You never heard about drug-trafficking deals before then?
[Estevez] Never before.

[Escalona] You never participated in any of these deals?
[Estevez] Never.

[Escalona] How did you become acquainted with Francisco Riverol Cruz, known as El Nene, a Cuban drug trafficker living in Miami?
[Estevez] There is a mistake, Comrade Prosecutor. He is not known as El Nene, he is known as Paquito.

[Escalona] Is he known as Paquito?
[Estevez] He is known as Paquito. That is his nickname, not El Nene.

[Escalona] No, I am not talking about El Nene. In your declaration, you said you knew a Cuban citizen living in the United States whose name is Francisco Riverol Cruz, known as Paquito.
[Estevez] Right, but you said El Nene.

[Escalona] There is no mistake at all. I said El Nene, excuse me, defendant. Between the boatmen and the drug traffickers, I am going to be driven crazy. Please continue. [laughter].
[Estevez] As I said in my declaration, I first got involved in drug trafficking in 1987. This happened because an acquaintance at work had brought some goods at our office's request. By the end of 1980...[corrects himself] Between 1986 and 1987, I think in March, he told us he and his brother were interested in buying tobacco from us, because they had a tobacco factory in Tampa. We discussed it and agreed he would return later so we could give him an answer. At the same time this was going on, there was a change of leadership, and a new comrade became the boss. Our contact returned to obtain a reply to his proposals. We met with this citizen. His main proposal was that he could bring a boat with 8,000 pounds of marijuana, but he needed support and needed to sail the boat around the cape, service it with fuel, and continue its journey on to the United States. He made that proposal to Elmer, who was my chief at the time and who was involved in the discussions. The operation was later authorized.

[Escalona] Did the drug-trafficking operation begin at the office of naval operations when Elmer arrived? Was there any drug-trafficking activity before then?
[Estevez] I do not know.

[Escalona] Go on.
[Estevez] Where was I?

[Escalona] We were at the boat. We were sailing the boat with the marijuana on board.
[Estevez] The authorization was given. The boat sailed around the cape, but then had engine problems. It arrived at Cadiz Bay in very poor condition, and the boat remained there for several days until the alleged merchandise was completely unloaded. They were supposed to pay us $100,000 for that operation. We were later informed the operation had been a trick. The bales, which supposedly had marijuana, were full of dry grass. This resulted in problems and confrontations among them there; therefore, we were not paid for the operation. I conducted the operation...[changes thought] I do not know whether I should explain everything related to drug trafficking.

[Escalona] Do not give us the details, because we have already heard several defendants talk about this boat. We want to know about your participation in this. We want to know about the second operation in which you participated.
[Estevez] My second operation—I carried out two operations at the MC—was carried out in April 1989. Our contact was known by the name of El Nene, whom we are referring to now. He came to us in January or February for the first time. He talked to us about the possibility of sending drugs through our waters. We told him no. By the time this meeting took place, I was working with Amado Pairon.

[Escalona] Why did you leave Elmer and move to another section to work with Amado Padron?
[Estevez] Because of internal changes.

[Escalona] Did Tony la Guardia give the orders to make those changes?
[Estevez] I do not know; those changes were ordered by the leadership. We [words indistinct].

[Escalona] The leadership—does that mean Tony la Guardia?
[Estevez] Of course.

[Escalona] Continue.
[Estevez] The contact arrived. He was supposed to bring new information on the activities we had been conducting since 1988 and 1987. When he returned, Comrade Amado Padron and I spoke with him. He told us he wanted to carry out those activities in our waters. We told him no. We told him the activity could not be carried out like that. Then someone suggested the operation could be carried out by air, so the drugs could be dropped. We agreed to drop the drugs about 40 miles [as heard] and decided to use as a cover-up the shipment of fighting cocks, which they were also interested in obtaining in large quantities.

[Escalona] Defendant, excuse me just a minute, but before the fighting cocks: Was Rosa Maria's operation carried out?
[Estevez] No, I did not participate in that operation.

[Escalona] You knew about it in Varadero?
[Estevez] I knew about one of them, which took place in 1987 or 1988.

[Escalona] After that, you met with some Colombians, did you not?
[Estevez] Yes, I am telling you about my participation in drug trafficking.

[Escalona] The thing is that we have heard the modus operandi of such operations many times. You have also heard it here many times. We have heard about the dropping of the drugs, the so-many-miles north of such and such a place. What I really want is for you to talk to me about your participation in the coordination, the shipping and receiving, and the carrying out of the two other operations.
[Estevez] Let me finish the one I was talking about. I am responsible for this last operation in 1989 with El Nene. I participated in that operation; I collected the money and everything, and we returned to Havana.

[Escalona] Did you deliver the money?
[Estevez] Yes, I did.

[Escalona] The whole sum?
[Estevez] Yes, the whole sum, $500,000.

[Escalona] Whom did you deliver it to?
[Estevez] To Amado Padron, who was our chief then.

[Escalona] To Amado Padron. How much did you earn at the MC?
[Estevez] 272 pesos.

[Escalona] 272 pesos. What additional revenue did you obtain from that business?
[Estevez] Additional income?

[Escalona] Yes.
[Estevez] I had not made any additional income until after that operation, when he gave each one of us approximately $25,000.

[Escalona] $25,000. Was that the only money you received from Amado Padron?
[Estevez] He had not given me any money before that time.

[Escalona] Then what was the spirit of patriotism that guided you to earn 270 pesos and throw mud on your reputation with such a repugnant business?
[Estevez] None. We were indignant.

[Escalona] Indignant toward whom? Toward yourselves?
[Estevez] The work we did made us indignant; we should have known better. However, what can one say when one sinks so low?

[Escalona] You know, Estevez, I wonder, when you began this activity, did you think you could get rich?
[Estevez] I did not see it that way.

[Escalona] How did you see it? Did you think that you were doing something for your country?
[Estevez] Initially—and I am not trying to justify the idea—I thought we could make a few dollars easily, without any problem, for the revolution.

[Escalona] Without any problem for the revolution?
[Estevez] I thought... [changes thought]. There is no justification, it was a mistake, an absurdity, a crass act of stupidity.

[Escalona] Estevez Soto: I assume that you have enough education and that you read international dispatches. Do you know how many times Cuba has been accused of drug trafficking?
[Estevez] Yes, that is right.

[Escalona] After Ruiz Poo's relative was arrested, do you know how many cases were reported, some of which even implicated the FAR minister through loathsome propaganda? Did you know that?
[Estevez] I heard...

[Escalona, interrupting] You never heard of that?
[Estevez] I am not trying to...

[Escalona, interrupting] And you continued to receive cocaine and to traffic in cocaine in this country?
[Estevez] I am not trying to justify...

[Escalona, interrupting] I am not asking you for a justification. I want you to tell me how a man with 21 years in the Interior Ministry—in that honorable, clean institution that has fought the enemy, that has prevented hundreds of attacks and counterrevolutionary activities in this country—as a member of that institution, how could you forget all that and dedicate yourself to becoming a vulgar drug trafficker and throw mud all over Cuba? What was the reason? Did you believe that you could become rich?
[Estevez] Not at all.

[Escalona] Then what moved you? Do you know the consequences of drugs? Have you seen a drug addict?
[Estevez] No.

[Escalona] Do you know about the struggle being waged by honest men in this world to eliminate drug trafficking? Do you know the risks that this entailed for Cuba? You never thought of that?
[Estevez] I have thought about it during these days.

[Escalona] These days. So you are also an irresponsible man?
[Estevez] Correct.

[Escalona] That's all, Mr President.

[Espinosa] Estevez Soto, answer the defense lawyer.

[Captain Froilan Hernandez Concepcion] Leonel, were you ever penalized during your 21 years of service in the MININT?
[Estevez] No.

[Hernandez] When did you begin working for the CIMEX [Cuban Foreign Trade Corporation]?
[Estevez, sighing] Approximately 1984-1985.

[Hernandez] Approximately 1984-1985. What were your duties in the corporation?
[Estevez] I initially began as a duty officer, then I was in charge of services [not further identified], after which time I worked in the counterintelligence section or internal security. I worked in that section until 1986, when it was separated from the MININT and the MC was created under Naval Operations.

[Hernandez] Before joining the MC, did you receive any personal benefits for your job in the corporation?
[Estevez] Well, the usual sort.

[Hernandez] Like what?
[Estevez] Incentives, medals, service pins.

[Hernandez] I mean anything that could make you feel different than the average citizen.

[Estevez] No, no, no.

[Hernandez] When did you receive the $25,000 from Amado Padron and what were those funds for?
[Estevez] That was after the last operation in April; between April and May... [corrects himself] I mean in April, a few days later.

[Hernandez] April 1989?
[Estevez] Yes. He said to me: Take this money, use it for your personal expenses, for anything you want; it is yours.

[Hernandez] What did you do with the money?
[Estevez] Part of that money was used—as it has been said here—to pay for the departure of the people who served as links [vinculos] during the last phase when problems emerged as a result of the counterintelligence services' tracing calls made over the radio. It was an abrupt departure. El Nene had come to bring the money; he had been transferred to Havana. He was here in Havana. Then he left. I saw Tony, Colonel Tony. I was asked to get in touch with him when he returned from Varadero. It was early in the morning. He told me that they had to leave in a hurry, together with all those who were with them. So, as you can imagine, I had to get them out to Varadero at an early hour. At that time I had to pay for certain expenses that they had incurred during their visits here.

[Hernandez] To whom?
[Estevez] What?

[Hernandez] To whom did you pay the money?
[Estevez] Well, I gave some money to my father and to an uncle of mine. They were having problems.

[Hernandez] The money used to purchase the jeep belonged to your father [words indistinct] occupied?
[Estevez] Yes, that is right. He had a car that...

[Hernandez, interrupting] You told me it was a Willys jeep, right?
[Estevez] Yes.

[Hernandez] It was not a new vehicle, right?
[Estevez] No, it was old.

[Hernandez] Where did you get the vehicle you were driving?
[Estevez] They sold it to me at the department. It was used.

[Hernandez] Did you cooperate to clarify these incidents, Leonel?
[Estevez] I believe that I did. At first, when we were arrested, the magistrate spoke to us. He explained to us that we were facing serious problems. The second time we met, he explained that the revolution was facing a

very difficult problem and that it needed the cooperation of each one of us, despite the mistakes one may have committed, because the object was to save the revolution.

[Hernandez] How did you cooperate?
[Estevez] Well, I told them all that I knew about the violations and crimes I had committed and had heard about.

[Hernandez] After telling us about all these incidents, what is your evaluation of the events? How do you evaluate your participation in the incidents? We would like to know why you carried out an operation in January 1987, and then you did not become involved again until late 1989 [as heard].
[Estevez] Actually, between that first operation and the second, I was involved in other jobs, which I enjoyed doing. As for these incidents, I cannot justify anything. I cannot say that I did these things because I was authorized to do them. No one threatened me or anyone else with a gun to carry out these dishonest activities. We have betrayed the trust of the commander in chief. We have stained the image of the revolution. We should not even be breathing the air that we breath. Our punishment must be severe [blinks away tears] because I have sons who are in the military, and I am not setting a good example by my actions. I expect no pity; I expect a severe sentence, which is the only thing with which I can repay these people, whom I betrayed.

[Hernandez] That is all, Mr President.

[Escalona] Mr President, defendant Estevez, how much money did you have?
[Estevez] 7,000 Cuban pesos and over $9,000.

[Escalona] About $9,600?
[Estevez] More or less.

[Escalona] The old jeep that you bought cost you 15,000 pesos, did it not?
[Estevez] Approximately.

[Escalona] That is all, Mr President.

[Espinosa] Defendant Estevez, you may leave.

[Escalona] Mr President, I would like you to call Patricio de la Guardia Font.

[Espinosa] Defendant Patricio de la Guardia Font, please appear before the court. Defendant Patricio, answer the prosecutor's questions.

[Escalona] Defendant Patricio de la Guardia, as we all know here, you were the chief of the MININT mission in Angola. Prior to that you were chief of the MININT central general staff. Please explain to the court what your relations with Arnaldo Ochoa were during the time that you were in Angola.

[De la Guardia] I had a working relationship with Arnaldo Ochoa in Angola at the outset. Later, late in 1988, more or less around September or August we began a working... [rephrases] commercial relations, by running an ivory business from the Congo and other types of things, such as diamonds, etc. A lot of these things were not marketed later.

[Escalona] What did Ochoa tell you about the drug trafficking activities?
[De la Guardia] The drug trafficking began more or less around December to January of 1988. When we spoke of our economic crisis, Ochoa told me about, we discussed the possibility of using the drug money from Colombia in a money - laundering scheme to invest it in tourist businesses here in Cuba.

[Escalona] Did he explain how this was going to be done?
[De la Guardia] It would be carried out through one of his comrades, whom I did not know at the time; I did not have anything to do with drug trafficking. We would use this comrade to make these investments in Cuba, using the drug money.

[Escalona] Did he explain how this money would be laundered, how it would be...
[De la Guardia, interrupting] No, no, no. Those were just conversations, and we did not specify anything.

[Escalona] Those were general conversations?
[De la Guardia] General conversations. We talked about stupid things.

[Escalona] Patricio, did you discuss drug trafficking?
[De la Guardia] That is correct.

[Escalona] You talked about money laundering?
[De la Guardia] Correct.

[Escalona] You talked about Pablo Escobar?
[De la Guardia] Correct.

[Escalona] And none of that made a deep impression on you?
[De la Guardia] It did not make a deep impression on me, Comrade Prosecutor, because I was irresponsible. I was totally irresponsible and did not...

[Escalona, interrupting] Patricio, when did you learn that Tony was in the drug trafficking business?
[De la Guardia] When did I learn of it? I learned of it more or less around September, October—I mean September 1988.

[Escalona] What did you do?
[De la Guardia] Nothing; I did not do anything. I did not have the courage to do anything. I just went along with him. I did not even draw his attention to it.

[Escalona] You [rephrases] Your family ties were stronger than your sense of responsibility as a MININT general?
[De la Guardia] Yes, I was a coward; I was not brave enough to stand up to him. If, at the beginning, when this was first mentioned in Luanda, during Tony's visit to Luanda—which was in December or January of 1988, January, yes, of 1987 or 1988, when he arrived in Angola—if at that time I had shown Tony or Ochoa a dignified, revolutionary stance, I would not have been driven by the false concepts of friendship or brotherhood, and neither Ochoa, nor Tony, nor any of the other comrades would be sitting there now. I want to say that I am one of the ones most responsible for this situation.

[Escalona] Patricio, how did you carry out the ivory deal over there?
[De la Guardia] The ivory deal was made as a result of Arnaldo's need to pay off some debts involving a series of batteries, tires, equipment—I believe—that he had bought in Punta Negra. He spoke to me of the possibility of getting large quantities of ivory and asked me what the price was. I answered that I did not know, but that I would check with contacts in Havana. I wired Tony and asked him if he could check out the price of ivory; I told him that Arnaldo needed money to pay off some debts he had incurred related to some projects he was carrying out. About a week later, Tony sent me a note, a letter, a cable, I do not remember which, telling me that the price of ivory was $250 a kilogram, that it could only be marketed in Japan and Mexico, that the marketing possibilities were very difficult, nothing else. I told Ochoa, and he said that he would see if he could come up with a big shipment of ivory to see if Tony could market it for us.
This ivory arrived in Luanda, and I wrote a letter to Tony asking him how he could help us sell that ivory in order to pay Ochoa approximately $64,000, the amount he had invested. Tony told me to send the ivory gradually to see if he could market it, that he would try to get it into Mexico or Panama. I sent this ivory to Cuba in boxes in a C-26 that came to Cuba more or less during the year that Ochoa returned. I bought more ivory after that. There were about 10 engraved tusks, which were more valuable because they had intricate carvings. I sent those to Tony in Cuba via diplomatic pouches.

[Escalona] In other words, after the deals with Ochoa involving ivory, you got enthusiastic and also became an ivory merchant.
[De la Guardia] Correct.

[Escalona] What money did you use to buy the ivory?
[De la Guardia] I bought the ivory with $6,000, which Tony sent me to pay some bills.

[Escalona] Were you Tony's representative or were you the head of the mission?
[De la Guardia] No, I was in charge, but I did not do a good job [words indistinct].

[Escalona] You also represented his interests?
[De la Guardia] I also represented Tony's interests.

[Escalona] Why did you turn over 64,000 pesos [corrects himself] $64,000 to Ochoa?
[De la Guardia] To Ochoa?

[Escalona] Yes.
[De la Guardia] To pay for the ivory, to cover the cost of the ivory he had bought.

[Escalona] What did Ochoa tell you? What did he want the money for?
[De la Guardia] The money, I believe, was to pay off some debts he had in connection with an airport he was building. They were buying some batteries, I believe, some tires, some mechanical parts, I believe.

[Escalona] I want to appeal to what is left of your manhood, your dignity. Did you believe that that was the truth?
[De la Guardia] Comrade prosecutor, at that time I thought the money was for those projects. I realized later that the project was very large. Because I do not have...

[Escalona, interrupting] Did you believe that by picking up kwanzas on the black market you could build an airport?
[De la Guardia] One could not have built an airport, nothing like that.

[Escalona] Yet you believed that the announcement of the construction of an airport would suffice as a cover-up to allow you to say that you did things with the best of intentions?
[De la Guardia] I might have felt that way, but I do not think so.

[Escalona] What is your opinion of Martinez? Did you get the chance to get to know Martinez?
[De la Guardia] I saw him; I met him there; I saw him four or five times; I spoke to him only four or five times. He was in Angola for only a short time.

[Escalona] Yes, his mission in Angola lasted 1 and ½ months.
[De la Guardia] I saw him in Santiago for a couple of days. Then I saw him...

[Escalona, interrupting] What did Ochoa tell you about Martinez, Patricio?
[De la Guardia] He told me that Martinez was his liaison in Ethiopia to purchase communications and other equipment that he needed. Ochoa asked me to get in touch with Tony to arrange for a visa for Martinez so that he could go to Panama to contact some Colombians. After that I did not think too much about it, due to my irresponsibility. Later, in September 1988, Ochoa told

me that Martinez had contacted a liaison, one of the Escobar brothers. That was in September 1988. That is when I really became aware of the problem that we were all in.

[Escalona] What did you do?
[De la Guardia] Nothing. I did not have the courage to do anything; I kept quiet.

[Escalona] Is that called indolence, Patricio?
[De la Guardia] Cowardice, not indolence.

[Escalona] Were you not terrified by the idea of what could happen if the Ochoa drug - trafficking contact was discovered?
[De la Guardia] My irresponsibility and stupidity prevented me from thinking clearly at the time, Comrade Prosecutor. I was completely irresponsible.

[Escalona] You were out of Cuba for so long that you forgot that you had a homeland?
[De la Guardia] No, never.

[Escalona] You thought that the homeland could be traded for cocaine?
[De la Guardia] Never.

[Escalona] Moreover, Patricio, from Luanda you used MININT officials for dealing drugs, right?
[De la Guardia] Yes, I used those comrades to bring the ivory from the Congo. I used them, those three comrades, on different occasions.

[Escalona] Where did you get all the money?
[De la Guardia] From the sale of equipment.

[Escalona] Only from that? Because it was only $10,000.
[De la Guardia] No, no, no. It was much more than $10,000; it was $20,000 to $30,000 that were...

[Escalona, interrupting] In your initial statement, in your initial testimony you mentioned $10,000.
[De la Guardia] No, I did not say $10,000. No, no, no; it was much more. I had to use money to buy tickets to travel to...[changes thought]. You can be sure that the money [words indistinct].

[Escalona] No. However, you used $4,000 to buy a car for your ex-wife?
[De la Guardia] Correct.

[Escalona] Patricio, at the beginning, $6,822 were found in your house.
[De la Guardia] That is correct.

[Escalona] Did you get that from the business operations?
[De la Guardia] No, that money had been saved by my wife, from the salaries she collected there in Angola.

[Escalona] How long were you in Angola?
[De la Guardia] Three years.

[Escalona] Three years. So you saved $6,800?
[De la Guardia] Perhaps less. I may have given her...

[Escalona, interrupting] What about the $20,000 that was found at the house of your wife's grandfather?
[De la Guardia] That is part of the money I stole.

[Escalona] That is part of the money you stole. However, more money was found afterward.
[De la Guardia] Yes, more money was found later.

[Escalona] Where was that money found?
[De la Guardia] I had given the money to a comrade and asked him to save it for me.

[Escalona] How much do you estimate that you stole in Angola?
[De la Guardia] Approximately $30,000.

[Escalona] Did you witness a conversation between Ochoa and Tony in which they discussed the whole business with the Colombians? Is that the conversation you lacked the courage to report to your superiors at the Interior Ministry?
[De la Guardia] No, the conversation I witnessed between Ochoa and Tony took place when I came back, when I went with Tony to Ochoa's house. Ochoa told me, he told us that Martinez...[rephrases] Ochoa said that the Colombians had told Martinez that Tony was being cheated by the boatmen because they were making drug drops without Tony being aware of this and without paying Tony anything. In was on this occasion that I became more or less aware of what was happening.

[Escalona] And you learned about that because Escobar was angry because drugs were being stolen from him?
[De la Guardia] Escobar was informed that some of his boats had been seized.

[Escalona] Drugs had been stolen from Escobar. What about the diamonds, Patricio?
[De la Guardia] Ochoa gave me six small diamonds so that I could explore the possibility of selling them. I sent the diamonds to Tony in a small box. I understand that Tony sent the diamonds to Panama. Approximately 2 months later, he returned the little box with the 6 diamonds to me, with an evaluation of each diamond. He also told me that the diamonds were of little value because they were too small and impure. I returned the little box to Comrade Ochoa and there were no further diamond deals.

[Escalona] Patricio de la Guardia, it is truly deplorable and inconceivable that 29 years of a wonderful life devoted to the revolution have been destroyed and have turned you into a traitor to the revolution, for which you fought so hard. You were aware of and yet allowed Cuba to face a deadly risk, which could have destroyed the revolution, owing to Ochoa's plans and your brother's

dirty business deals. You forgot about your rank as a general, your revolutionary status. You even forgot about your honor as a man and the risks your country faced, cowardly suppressing those feelings to conceal all this.
[De la Guardia] That is correct.

[Escalona] Unfortunatelly, there is only one word for you: You are a traitor. That is all, Mr President.

[Espinosa] Patricio, answer the defense lawyer's questions.

[Julio A. Gonzalez] You helped make the ivory deals. First you said that Ochoa [words indistinct] with you. Later that... [changes thought]. You also invested in this business. In other words, you bought ivory to sell later. Did you have your own ivory deals separately from Ochoa's business operations?
[De la Guardia] It was a separate business. I bought ivory in the Congo and shipped it to Tony in Havana.

[Gonzalez] Was it a separate business from Ochoa's?
[De la Guardia] It was a separate business.

[Gonzalez] Another aspect we want you to clarify. You mentioned the diamonds. You said that you had received some samples. After getting these samples, did you carry out any separate diamond deals?
[De la Guardia] No, after the diamond and gold samples, and after the fake emeralds business, I told Tony that if more deals of this kind were to be made, I would need authorization from the ministry I worked for. I then banned all those deals; all the deals involving diamond, gold, and mercury, which had also been requested.

[Gonzalez] Was your request sent in writing or via telex?
[De la Guardia] I sent a letter stating that if he were interested in buying diamonds, emeralds, gold, or mercury—they wanted 3 tons of mercury—then I would need authorization, because I was not going to approve any of those deals over there. We made no diamond deals. As far as the gold is concerned, we only had the samples, but we did not sell or buy gold. The same happened with the emeralds.

[Gonzalez] Who ordered the evaluation of the diamonds?
[De la Guardia] Ochoa asked for it. He wanted to know how much they were worth.

[Gonzalez] De la Guardia, you held the rank of brigadier general. I would like to know how many years of service you had with the MININT.
[De la Guardia] Twenty nine years of service.

[Gonzalez] Twenty nine years of service. And what about other internationalist missions? Had you been on other internationalist missions prior to the one in Angola?
[De la Guardia] In Chile.

[Gonzalez] After that mission did you receive an award?
[De la Guardia] I received the Internationalist Medal in the first degree because I was in Chile, commanding the troops when the coup d'etat in Chile occurred. I also carried out other special tasks, other special operations.

[Gonzalez] Can you tell us whether your attitude has remained the same since you were arrested and charged?
[De la Guardia] I think it has, although I believe that I could have had a better attitude toward the officer who spoke to me.

[Gonzalez] There is something that I think should be made public today. When I was appointed your defense attorney, I met with you and asked you whether you had any objections to having me represent you. I would like you to...
[De la Guardia, interrupting] Yes. I met Comrade Julio many years ago. I asked that he represent me. I would like to clarify something if I may.

[Gonzalez] I would like to clarify my question before the court. I have brought this up because today's newspapers carried a report on the trial, and I believe this is of interest to everyone, particularly the defense attorneys who are representing the defendants.
[De la Guardia] Regarding what Julio asked...

[Espinosa] The defendant may answer.
[De la Guardia] I have been reading recent foreign dispatches on statements by some gentlemen of a human rights commission, who have mentioned my name, my brother's name, and the names of some comrades. They have expressed great concern over our situation. According to the reports I have read, they claim that we have been physically and mentally tortured, that we are being held incommunicado, that we are being pressured, that our families have been exposed to police pressure, and I do not know how many other lies.
I would like to tell the comrades present here that from the very moment of my arrest, I have been treated in a way I feel unworthy of. I have been treated with great respect, consideration, and attentiveness. I have never been held incommunicado. Whenever I have wanted something, I have asked for and received it. I requested my defense attorney. I have known the comrade major for many years. I have not been pressured to do or say anything. I have freely admitted my guilt. I have done this because I am ashamed; I do not want more shame to be brought upon me by members of some human rights commission. That is all.

[Gonzalez] No further questions, Mr President.

[Espinosa] Would another defense attorney like to ask a question? Defendant Patricio, you may step down.

[Unidentified speaker] Ten witnesses appeared before the 3rd session of the special military tribunal. Through their testimonies, they helped to prove the charges against the defendants. The first seven witnesses were:

Esteban Yaniz Diaz, Lieutenant Colonel Andres Manuel Pardo Ramos, Carlos Manuel Pena Gonzalez, Antonio Alberto Pena Gonzalez, Colonel Rafael Morales Velasquez, Lieutenant Colonel Enrique Montero Venzano, First Lieutenant Ramon Ferrin Lopez. The witnesses' testimonies further proved the defendants' guilty participation in drug - trafficking operations as well as in the destruction of proof relating to those activities. As the witnesses spoke, new evidence of disloyalty, corruption, and the illegal possession and concealment of foreign exchange was brought to light. This strongly proved the corrupt and corrupting nature of all the defendants.

[Escalona] I ask this tribunal to call the investigators of this case as witnesses. I ask that the tribunal call Lieutenant Colonel Pedro Alvarez Lugo, Division General Manuel Fernandez Crespo, and Lieutenant Colonel Eduardo Delgado Rodriguez.

[Espinosa] The prosecutor's request is granted. Secretary, proceed in that order unless the comrade defense attorneys object to the prosecutor's request. Secretary, proceed in that order.

[Tribunal secretary] We call Lt Col Pedro Alvarez Lugo.

[Espinosa] Witness, what is your name?
[Alvarez Lugo] Lt Col Pedro Alvarez Lugo.

[Espinosa] Occupation?
[Alvarez Lugo] Head of the State Security Investigations Department.

[Espinosa] Do you know the defendants?
[Alvarez Lugo] I met them during the preliminary investigations. I know some of them because they have been in the MININT for a long time.

[Espinosa] Do you feel any enmity toward or have any blood relationship or friendship with any of them?
[Alvarez Lugo] No.

[Espinosa] Witness, you have the obligation to testify and to state the truth about everything you know about the case and to answer truthfully all questions. Otherwise, you will be committing a crime.
[Alvarez Lugo] Correct.

[Espinosa] Answer the prosecutor's questions; at ease.

[Escalona] Lieutenant Colonel, would you describe for this tribunal the attitude of the detainees during the preliminary investigations?
[Alvarez Lugo] As for defendants Antonio de la Guardia Font, Amado Padron Trujillo, Antonio Sanchez Lima, Eduardo Diaz Izquierdo, and Gabriel Prendes Gomez, I can report that from the very beginning of the investigation, when we began to interrogate them, we had to use information available to us to force them to admit responsibility for actions under investigation and in which they were involved—even though these actions were obvious, proven, and in fact took place. They later changed their attitude, and all of them began to cooperate with the preliminary investigations, even revealing certain information that they had previously withheld, such as money that they had not previously mentioned and a number of other details. In the end, they cooperated with the ongoing investigations. As for the other defendants, from the very beginning they admitted their responsibility and cooperated with the preliminary investigations.

[Escalona] Based on the results of your investigation, would you explain to the tribunal and to all of us how you assessed the defendants' degree of responsibility for the actions under investigation and what conclusions you reached regarding, for example, the defendants' responsibilities as leaders?
[Alvarez Lugo] As for the degree of responsibility, there were chiefs and officers, who were their subordinates. Among the chiefs were General Patricio de la Guardia Font. He was a MININT general and head of the MININT's mission in Angola, a job that entails great responsibility, as has been demonstrated throughout this trial. He participated in these actions and was aware of drug - trafficking activities involving his brother, defendant Antonio de la Guardia Font. However, he failed to do anything to prevent this, to force his brother to quit; nor did he denounce these activities, which was his duty as a MININT general. He also participated in business deals and a number of illicit activities not in keeping with his position or capacity as a MININT general and party member.
As for Antonio de la Guardia, who was a colonel at that time, he was head of the MC; he was a senior MININT member trained for this kind of special activity. As department head, he had been assigned responsibilities that did not include drug trafficking but which focused on breaking up the ironclad blockade that imperialism has imposed on us for nearly 30 years. He was tasked with obtaining through clandestine means a number of things or products the country needed. However, he was not tasked with accomplishing this through drug trafficking; that was not authorized. I believe that it was very evident during the preliminary investigations that this was the most serious crime committed by this defendant, who was perfectly aware of what he was doing.
In addition, he concealed these facts from his superiors every time he was asked to clarify something. Such was the case during the most recent meeting, when the inquiry was already in progress. Not only that, he drank alcoholic beverages to better conceal the truth, destroyed documents, and did a number of other things that indicate the defendant's guilt. He also personally led the drug-trafficking activities and made the contacts, all of which involved the country, particularly the MININT, in an extremely serious situation.
Defendant Amado Padron Trujillo was a section head in the department and had under his command a number of officers who were involved in the work I mentioned at the beginning: drug trafficking. We can say Padron was

very active in drug trafficking organization and planning, in making contacts, and carrying out all sorts of activities that were not included among his regular duties. He was a section head. He had been appointed to break the blockade, not to engage in drug trafficking. He tried to conceal this at the time he was detained. As I explained earlier, he even assumed a stubborn position. His comrades knew they were being asked about something they knew well. They were not forced to give any information. So he could not say this is why they told the truth. We spoke to them clearly and to the point and tried to appeal to their revolutionary awareness. But the defendant maintained an inappropriate attitude at all times, thus showing he knew full well what he was doing and that this was a fact. In addition, he participated in collecting, concealing, and distributing money among all his officers. We will later more fully explain this to the prosecutor, if he should ask that we do so.

Alexis Lago Arocha, or Hermes, which is the name he used, was head of the naval operations section, so named because of its responsibilities related to boats and other things. We can say that, since the beginning, Hermes cooperated with us and admitted his involvement in this activity. This cooperation, however, does not reduce the blame he must assume for these activities. As a lieutenant colonel and head of a section in the department, he had the specific duty of helping to break the blockade, not to deal in drug trafficking. That is why he is responsible.

As for the rest of the defendants, who were officers in this department and subordinates of the superiors I mentioned earlier, they must also bear blame due to the fact that they were officers in a ministry. Some were lieutenants, others first lieutenants, captains, or majors. Most of them had spent considerable time in the ministry and knowingly participated in these activities. Not one of them was deceived. Every one knew what he was doing but took measures to conceal it. As ministry officials and party members, they should have taken action against these activities as soon as they learned what was going on, but they did not. They knowingly participated in these activities, but they have contended that they thought what they were doing was right. I suppose the trial has made it clear that drug trafficking is not a practice of the revolution or a policy of the MININT, the Armed Forces, or Cuba. At all international forums where this subject has been brought up, we have stated clearly that this is an activity that goes against the most basic aspects of human life and mankind, yet they violated these principles. They knew what they were doing.

[Escalona] Comrade Lieutenant Colonel, during the long sessions of this trial and according to the documents we have had to consider, there is something we have not determined and on which even the defendants themselves have been unable to give a consistent answer. Perhaps you can assist us.

[Alvarez Lugo] Yes.

[Escalona] When and how did the duties of this group become distorted?

[Alvarez Lugo] In the investigation that was carried out, Comrade Prosecutor, it was not easy for us to determine this. However, we did reach certain conclusions. We concluded that the distortion began when the defendants stopped doing what was expected of them. As long as the blockade was broken, their mission was accomplished. When they began drug trafficking, they made contacts with several drug traffickers. They planned and carried out clandestine operations, such as those that have been described at this trial, they received dirty money from their contacts, exchanged currency, and carried out all sorts of business deals with these people. This is when their activity became distorted and when widespread corruption spread among the defendants. It was at this point that they totally lost control. They started spending money earned from drug sales, buying cars, watches, and other things they could buy because of their activities, thus bringing about a total distortion, with the result that their activities became secret, totally clandestine. All of this we uncovered during the investigation.

[Escalona] Comrade Lieutenant Colonel, sums of money—some of them astronomical—have been mentioned. Some of the money has been seized, some has not been collected, and some has been lost. What can you tell the tribunal regarding this money problem?

[Alvarez Lugo] Comrade Prosecutor, in response to your question, where I must quote specific figures, I will try to remember. During the investigation, especially during the interrogations portion, we determined that $1,231,791 was still in the country, and this money has been seized; 423,744 Cuban pesos, the proceeds of illegal, last-minute currency exchanges, have also been seized. I know, for example, that the defendants carried out operations totalling approximately $3 million and that they owe large sums of dollars. In Spain, for example, one of their contacts owes them $500,000 and has failed to pay; in Mexico they lost $600,000 on certain illegal stock market deals; they have invested in office equipment, on items for their personal use such as vehicles; they exchanged Cuban pesos for dollars, all of which has been clearly established at this trial. All of them had money. For example, it has been disclosed that [words indistinct] money in a refrigerator door or in the back of a refrigerator buried under a floor or concealed in a variety of places such as a wall [faralla] behind the house. This is how the money we have recovered was distributed. The sums found were large.

[Escalona] Considering what you have said, Comrade Lieutenant Colonel, I find it impossible to believe that all the defendants' efforts, sacrifices, and concerns were aimed at bringing foreign exchange into Cuba to improve the country's economic situation.

[Alvarez Lugo] It has been proven that foreign exchange cannot be obtained that way. The defendants were not seeking foreign exchange but dirty money from drug trafficking. The investigation has proven this. Had they acted in good faith, we would not have had to interrogate

them or seize the money they concealed in all these hiding places, nor would they have exchanged dollars for Cuban pesos. The simple fact is that upon finding out that they had been discovered and that this investigation would be carried out, they should have been honest and taken the money to the top ministry officials and said: Look, this money is the result of such and such an activity, and I am turning it over to you. None of them did that.

[Escalona] Were you able to determine if they mixed money from drug trafficking and the different businesses?

[Alvarez Lugo] Yes. They tried to justify mixing the funds by purchasing business and office equipment. They mixed the money they collected from their activities.

[Escalona] This court studied some of the defendants as they testified. They used a number of vehicles for their activities. Many of the defendants, among them Amado Padron, deny this fact. Could you explain to the tribunal how many vehicles they used, what type of vehicles they were, and, all in all, the condition of the vehicles defendant Amado Padron used?

[Alvarez Lugo] Yes, of course, Comrade Prosecutor. All in all, 39 cars and a Honda motorcycle were being used. All of the vehicles, or rather most of them—I cannot say that all of them because six or seven of them were being repaired—are luxury cars equipped with air conditioning, tinted windows to prevent anyone from looking in, and a variety of large tires of capitalist origin. This sort of thing may not be considered bad in Panama, but with Cuba's problems they are not viewed as normal nor do the people consider them normal. Amado Padron used 11 cars and 1 motorcycle. We seized 11 of the cars, not because Amado Padron reported them but because people have called my department to say: I have a car that Amado Padron left here, or I have four cars—as happened with TRANSIMPORT [Cuban Vehicles and Transportation Equipment Import Enterprise]. The four cars were there. They had been left there by Amado Padron.

What does this mean? It means we have a process under way that has not concluded but should end as soon as possible, trying to track down the origin of each car, who purchased it, who has it, and so on. We need a detailed list to be able to be fair and say who really owns each car, how it was acquired, and if any dirty deals were made or not.

[Escalona] Of course, if any mistakes were made then we can return the cars to the legitimate owners.

[Alvarez Lugo] We would return the cars, of course, to the legitimate owners, just as we would in any other case where we may have made a mistake. If there is really a mistake, then we shall return the property to the owners and their names will be cleared after we investigate.

[Escalona] Comrade Lieutenant Colonel, there is one more thing that has caught the attention of those close to this investigation: the great number of weapons that these defendants had in their possession. This is hard to understand since no one can shoot eight pistols at the same time. Where did all these firearms come from? We have on our hands a criminal case of illegal possession of firearms by a group of MININT officers who knew very well they needed a license to have these guns. How many weapons did we confiscate? Where did these weapons come from?
[Alvarez Lugo] We have confiscated 186 firearms up to now, out of which maybe—I say maybe because I do not have the details here with me—10 or 12 could be considered collectors' items—old shotguns and things like that. All the rest were combat weapons, such as M-16, AR-15, Mini 14, and AKM rifles; Beretta and Browning pistols—all were combat weapons. All these weapons, according to the investigation, were mostly gifts, brought through this same route; in some cases given by these same ranchers or drug traffickers; others were obtained by the defendants when they were abroad on some mission.

[Escalona] All of them had arms?
[Alvarez Lugo] All of them were gun collectors, but many of the weapons that were confiscated were being kept in an irresponsible place—they had them at home instead of at an office, sealed, secure, and under lock and key, as firearms should be kept. The way they were kept left open the possibility of anything happening, such as some burglar being attracted to one of these homes—because some of these homes attract attention—to take what was inside and steal the 10 or 12 pistols. This could have happened.

[Escalona] Anyway, Lieutenant Colonel, there is no doubt that to work at the MC and do the work assigned to this department one does not need to be surrounded by so much armament.
[Alvarez Lugo] Comrade Prosecutor, I cannot recall the last time we were subjected to an armed attacked by the Yankees.

[Escalona] Mr President, I have finished.

[Espinosa] Witness Alvarez Lugo, you may step down. Secretary, call the next witness.

[Secretary] Division General Manuel Fernandez Crespo.

[Espinosa] Tell us your name.
[Fernandez] Division Gen Manuel Fernandez Crespo.

[Espinosa] What is your occupation?
[Fernandez] Vice minister in charge of counterintelligence operations.

[Espinosa] Look over the defendants. Do you know them?

[Fernandez] General, I know the defendants because they have been investigated by our office.

[Espinosa] Are you related to them in any way, or are they friends of yours?
[Fernandez] No.

[Espinosa] Witness, you are under the obligation to testify, to declare and tell the truth regarding all you know about this case. If you do not, you will be breaking the law.
[Fernandez] Correct.

[Espinosa] Witness Manuel Fernandez, answer the questions the prosecutor asks you. General, you may remain at ease.

[Escalona] Comrade General, can you tell the tribunal when your group began the investigation of this case?
[Fernandez] We began as soon as we received instructions from our commander in chief, and from that moment on we started investigating the 11 defendants who are here until they were arrested and processed. We would like to point out that, from the counterintelligence point of view, in April—specifically the end of April—thanks to work by our technicians, we detected some radio signals and there were indications of possible broadcasts from Cuban territory directed to the United States and Colombia. From then on, through radio direction-finding techniques, the origin of these broadcasts was established. In fact, at 1200 on 24 April, which coincides exactly with the drug-trafficking operation carried out by the defendants, the technicians carried out triangularizations that placed the source of these signals in northern Varadero, near the sewer drain, exactly where the drugs were dropped on that occasion. It was from then on and also as a result of instructions from our commander in chief that the full investigation began.

[Escalona] General, was there any clue or signal that drug trafficking activities were somehow being conducted from Cuba?
[Fernandez] A message we intercepted on 24 April indicated that Miami-based drug traffickers and Colombia-based drug traffickers had been meeting in Cuban territory. This same day, our technicians intercepted and recorded the conversation of a pilot who participated in a drug-trafficking operation.

[Escalona] Was there any other clue before this date?
[Fernandez] There was no concrete evidence of this activity before that date.

[Escalona] In other words, the technical group's activities were very well coordinated.
[Fernandez] Most of this work was carried out by our technicians rather than by operations specialists.

[Escalona] General, did you determine whether defendant Patricio de la Guardia participated in these drug-trafficking activities?

[Fernandez] According to our investigation and the interrogation of Patricio and the other detainees, Patricio de la Guardia's participation only goes as far as being aware of his brother's activities. We cannot say, therefore, that Patricio participated in drug-trafficking activities directly.

[Escalona] In other words, he was not a member of the drug traffickers ring.
[Fernandez] No, he was not; although, as we know, Patricio did business of various kinds with Tony. It has been demonstrated, however, that Patricio did not participate in the drug-trafficking activities directly.

[Escalona] Altough he was aware of his brother's activities.
[Fernandez] Although he was aware of his brother's activities.

[Escalona] General, what is your assessment of the defendants' attitudes? They have been serving for so long in the organization and the MININT and have worked in various fronts. Some of them distinguished themselves as fighters. What are your thoughts on the end of these men's active lives?
[Fernandez] The final conclusion is that the defendants' activities constitute a grave offense and treason against our homeland, particularly considering what our revolutionary government has been saying in public for many years, again and again, through forums and activities, official statements, and speeches by our commander in chief saying that our government and country did not participate in drug trafficking. In the case of the defendants, we regard as even more serious the fact that they belonged to the MININT. We regard this fact as even more serious because they were members of this ministry and worked in this department, which was created to defeat the boycott. Their activities allowed them to use the department to override the MININT's official operating mechanisms. We regard this as extremely serious because, with this activity, the defendants succeeded in sidestepping—we will give some examples later—the country's immigration policy. In other words, the Central Counterintelligence Directorate's mission is to discover possible illegal immigrants in our country. The defendants' activities violated our country's security because these people had not been registered as having entered our country. CIA officials and agents and even people brought into Cuba aboard these boats could have infiltrated the country to participate in activities dangerous for our country, such as personal attacks, terrorism, or similar dangerous actions.
By setting this mechanism in operation, however, and because they had the power to use the country's sea and air to introduce equipment and drugs into our country, they violated our country's security. It has been shown that the defendants had no control over the men brought into Cuba aboard these boats. They have said these men were kept in a house. We have found, however, that in some cases these men moved about freely in our territory, specifically in cities or elsewhere, to see their

relatives. We consider this very serious because it violates the country's security. In addition, the border protection provided by the Border Patrol General Directorate has been violated. In other words, through tricks and other mechanisms, by pretending that these people were coming in to carry out legal activities, they also violated our border protection system. We feel that this is very serious, that it is treason. Furthermore, we feel that the situation is even more serious because they were members of the ministry.
We also wish to speak specifically of the violation of all the procedures in our institution. Everyone is aware that our institution, the MININT, carries out public activities. However, it also carries out secret activities. Secrecy is essential for some of the ministry's activities. We feel that the situation created by the defendants has seriously affected the operational aspect of our state security. Because of what they have done, there will always be a certain doubt in an agent's mind when he is chosen for a secret operation or any other state security operation. Because of this situation, the chosen agent will always have doubts and will always wonder whether the operation has been authorized or whether it is something else. Aside from having received a serious blow to the heart as a result of having our morals brought into question, this situation has seriously affected our institution. On behalf of our comrades, we morally reject and repudiate the actions of the defendants. Their actions have cast a doubt over the revolutionary quality of the MININT members who work, day and night, to defend the homeland. This is why we feel that their crime is a very serious crime, that it is treason. They have not only betrayed Fidel and the homeland but have also betrayed their MININT comrades; they have betrayed the ministry's mechanisms, and they have betrayed the prestige of the institution. Therefore, we feel that their crimes are very serious crimes. That is all I have to say.

[Espinosa] Does the defense wish to question the witness? Witness Division Gen Manuel Fernandez, you may step down.
[Fernandez] Thank you sir.

[Espinosa] Secretary, please call the next witness.

[Tribunal Secretary] Lieutenant Colonel Eduardo Delgado Rodriguez.

[Espinosa] Please state your name.
[Delgado] Eduardo Delgado Rodriguez.

[Espinosa] Your occupation?
[Delgado] Chief of the First Department of Counterintelligence.

[Espinosa] Do you know the defendants?
[Delgado] Yes.

[Espinosa] Are you related to any of the defendants? Are you a friend of any of the defendants? Do you dislike any of the defendants?
[Delgado] No.

[Espinosa] Witness, it is your duty to state the truth regarding all you know about this case. You must answer all the questions. Should you refuse to do so, you will be committing a crime. Answer the questions the prosecutor will ask you.

[Unidentified speaker] At ease, Lieutenant Colonel.

[Escalona] Comrade Lieutenant Colonel, would you briefly explain to the tribunal what prompted the investigations into defendant Ochoa Sanchez's behavior. Would you tell the tribunal what prompted military counterintelligence to carry out the investigation?
[Delgado] I must first remind everyone that our FAR minister has already said that there were some minor thing in Ochoa Sanchez's behavior that forced him to reprimand him. However, the FAR leadership received information that painted a more alarming situation and called for more in-depth talks with defendant Ochoa Sanchez. This is why on 29 May our minister met with Ochoa and told him that there were certain incidents that should be clarified. There were certain things that pointed to unauthorized and illegal commercial activities with the use of subordinate officers. We also had information of inappropriate use of foreign exchange and other material. This occurred during his internationalist missions in Nicaragua, and especially in Angola.

Moreover, there were unauthorized contacts with foreigners that ran counter to standards established for Armed Forces officers and guidelines set by the commander in chief and the FAR minister. Preliminary investigations showed that defendant Ochoa Sanchez was involved in several activities that were outside the system and in violation of its standards and rules. This was a serious concern for our ministry's leadership. As a result of this, the FAR minister summoned Ochoa Sanchez to a meeting where he was evasive, denied conclusive evidence, and lied about other things. We decided to discreetly begin investigations around this case. We concluded that it was necessary to arrest Ochoa Sanchez to better delve into his behavior and that of others involved. I must point out that all the charges, which were discussed during the preliminary hearings, have been fully and legally confirmed.

[Escalona] Comrade Lieutenant Colonel, would you describe for this tribunal what these illegal commercial activities consisted of?
[Delgado] I believe that I should first talk about our assessment of those illegal activities and then point out some of the most significant ones. These illegal activities violated a number of ethical and legal standards. The behavior of FAR officers under Ochoa Sanchez's command violated such standards. In order words, he incited, influenced, and ordered the violation of ethical and legal principles established for FAR officers. For example, to implement some of these activities, there were contacts with a number of foreign capitalists, many

of whom—and this is no secret—had links to enemy special services involved in subversive activities against our country. Also, as an important political element, we must point out that these illegal activities in the trade and economic areas created a complex situation for the Angolan authorities. A false image of our principles—of the principles established by our commander in chief regarding our presence and our internationalist aid was created, because the actions of Ochoa Sanchez and some of his subordinates linked our presence to profitmaking activities, which are neither the objective nor policy of our party's foreign missions.

Furthermore, we noticed a number of violations of administrative and financial controls; parallel structures were created; and groups were working outside the framework of structures established for the Armed Forces. Actually, the principles of military administration were constantly violated. For example, there were violations of Provision 05 of 1985 issued by the FAR minister that clearly establishes what entities may engage in commercial activities and foreign trade within the Armed Forces. It does not allow any leader, regardless of his rank, to carry out such activities by himself.

Aside from the political problems caused with the Angolan authorities, which I mentioned, an assessment of their actions and a review of current legislation reveals that the laws of that country were also violated. This, generally speaking, is our overall assessment of the illicit trade or behavior. There are many examples mentioned in the files. Sugar was smuggled on the black market. One thing that particularly caught our attention, which reflects Ochoa Sanchez's hypocritical and demagogical behavior, is that on many occasions—and we have proof of this—speaking before military audiences, he might even order the execution of any military man caught in contraband activities when, in fact, the contraband promoter at our military mission in the People's Republic of Angola was Ochoa Sanchez himself.

There is another fully confirmed charge regarding the diamond trade. Martinez clumsily carried out an operation at the end. He sold 136 diamonds in Panama. We have fully confirmed the ivory trade. Two shipments of 300 kg each were purchased in the Congo. Searches conducted by our agencies have fully revealed that the goods were also stashed in the homes of people close to Ochoa Sanchez. An example we want to point out regarding the ivory or elephant tusks trade is that it was carried out behind a front, an incredible front, a foolishly incredibly front. The Congolese who saw what was going on were told that the elephant tusks were being sent to museums in Cuba. Every museum in every Cuban town would have its own elephant tusk. They were also told that the officers, some mission officers, were Culture Ministry officers. This was proven without a doubt.

Other deals—it has been said that these illegal deals were to improve the living conditions of the troops—included the purchase, sale, and movement of precious woods. More than 75 cubic meters of precious wood were purchased. However, during the investigation, after Ochoa Sanchez had been arrested, 18 cubic meters of precious wood arrived at a Cuban port. This shipment was sent to Ochoa Sanchez. Airplanes and ships, assigned to the FAR, were used to supply our troops, and they were also being used for these other deals.

[Escalona] Lieutenant Colonel, in your report you mentioned that there were some deals being made with foreign exchange. Can you give the tribunal some examples of this?
[Delgado] Yes. I am not going to talk about the deals involving CFA francs; I am going to talk mostly of the deals involving dollars. This situation, the illegal deals, the uncontrolled businesses, resulted in their holding back money that should have been deposited at the finance offices of our institutions. It also led to appropriations, uncontrolled situations. It led to just plain stealing. As an example of this we can mention the bank account in Panama City. It has been proven that the account in Panama was in Martinez's name. At this time, I wish to inform everyone present here that this money is now in the hands of the Cuban state. In the course of his business deals, Martinez said that he could get 100 units of some special radio equipment for $435,000 of the more than $500,000 that the Angolan Government had given him. That money went into the Panama account. In February—Martinez was already in Cuba—Ochoa Sanchez gave Martinez $40,000 to bring up the amount in the account. In April 1989, Ochoa gave Martinez an extra $6,000 to bring it up to $2,000.

[Unidentified speaker] You mean to $200,000.
[Delgado] Yes, to $200,000. Martinez was then told to put this money into a numbered account and forget about it. This clearly proves what Ochoa Sanchez was planning to do with that money. In addition, after the mission concluded, $64,000 were brought into the country. This money was given to Ochoa in installments by defendant Antonio Rodriguez, and on one occasion by Antonio through Captain Llicas. Of the $64,000, $25,800 was recovered from Ochoa's home and $4,480 from Martinez's home.

[Escalona] Comrade Lieutenant Colonel, the $25,000 were seized at Ochoa's home or...
[Delgado, interrupting] At Ochoa's home. At his current home—$25,800.

[Escalona] Did you know that defendant Ochoa Sanchez has said that many of the things that were done in Angola were done to improve the troops' living conditions, others because... [changes thought] In other words, that there were many justifications? And that this money, which, incredibly, the Cuban military mission to Angola brought to Cuba, was to be used to solve many of the problems faced by the Western Army, command of which Ochoa had been informed he would given? Do you believe those were the intentions?

[Delgado] I do not believe those were the intentions. Those intentions concealed the modus operandi of his foreign exchange activities and his acquisition of funds.

[Escalona] Comrade Lieutenant Colonel, will you explain what information your investigation has yielded regarding defendants Ochoa's and Martinez's involvement in drug-trafficking activities?

[Delgado] Yes. During the course of the investigation, it was established that Martinez Valdez made several trips abroad that were outside the control and regulations of the FAR. The investigation established that these trips started when his relationship with defendant Tony de la Guardia began. During the early investigations on Martinez Valdez, a letter was seized which, because of its contents, attracted a great deal of attention. It contained a request regarding a pilot who had been detained. An examination of the letter's contents revealed that it hinted at drug-trafficking activities. We investigated the letter and found another curious point. Martinez acknowledged during the interrogation that it had been foolish of him not to destroy the letter. However, we found a small card from a hotel in Medellin, Colombia, when there was no indication anywhere that Martinez Valdez had been in Colombia. With these primary elements in hand, we began to investigate the drug-trafficking issue.

It has been established, and widely discussed in the editorial of our party's official organ GRANMA, that in 1986, when Martinez contacted Panamanian Jaime Tejada, the first drug-trafficking offers were made and the possibility of laundering money was discussed with Italian-American Frank Morfa. Furthermore, it has been established that, prior to this, Martinez was in contact with Ciro Moscoso, an individual who was kicked out from Panama's customs service because, according to reports in Panama, he was involved in contraband and drug trafficking. It seems as if the deal was not made with him because of his notoriety.

These two situations or relations were investigated, first regarding weapons and then money laundering. Since there had been fiascos in the buying and selling of weapons, Moscoso introduced Martinez to Colombian Fabel Pareja. From then on, more specific conversations were held regarding drug trafficking. They discussed the need for Martinez to travel abroad, or rather to Colombia, to speak with the boss about these types of situations. At the end of 1987, in the last quarter of the year, Martinez was given a Colombian passport during one of his trips to Panama. During this time and until April 1988, it has been established that a series of conversations were held between Ochoa Sanchez and Tony de la Guardia, during which they discussed their drug-trafficking plans and the manner in which they would operate.

In April 1988, Ochoa invited Martinez to a meeting in Havana. From the airport, Martinez went directly to Tony's home. Tony, however, was not at home at the time. Several meetings took place thereafter, as reported in the GRANMA editorial. A sort of tripartite meeting was held in which Cubans, Colombians, and Mexicans participated. Three meetings were held. The first was held with Colombians; the second was attended by Colombians, Mexicans, and Cubans; the third was held with Colombians. At these meetings, the Colombians proposed the building of a cocaine-processing laboratory in Cuba but the Cubans objected. The possibility of doing this in Africa was considered, however. In addition, they discussed the possibility of counterfeiting U.S. dollars with high-quality paper. It was at this time that the bright idea that Martinez should propose this to Ochoa was brought up. The idea was to get this paper through the Angolan Government, because this high-quality paper is sold to governments only. In these meetings, some naval operations were also discussed. It was agreed that Martinez should go to Panama and later to Colombia.

The main purpose of Martinez's trip to Panama, which took place early in May 1988, and his subsequent trip to Colombia, was to establish official ties with drug lords, particularly Pablo Escobar, one of the Medellin Cartel leaders. And this was done. Martinez and Escobar agreed on a maritime operation, which consisted of shipping as much as 2,000 kgs of cocaine. Ochoa and Martinez estimated later that this shipment could yield a profit of as much as $2.4 million. The operation's various details, such as radio frequencies, the pick-up area near Cienfuegos, how to sail to the island not far from the coast as far west as Mariel, were outlined. In Mariel, four launches would carry 500 kg each and sail to the United States. The Colombians reported that the plan backfired because the ship's captain was murdered and also because they experienced trouble with the ship itself.

Nevertheless, the Colombians decided to set up a corporation in Panama to serve as cover for the movements of this ship, the "Jennifer," through the Caribbean. Other meetings were also held once the maritime operation failed. In Martinez's later trips, it was decided to carry out an air operation. This consisted of dropping cocaine southwest of Cayo Sal. This operation also failed because Escobar was dissatisfied with some of his operations in Cuba because of some irregularities. He refused to continue these operations until these irregularities were properly taken care of. There is an important detail: Escobar even threatened Martinez by saying that, if the agreement was not complied with, the Colombians would make a report to the Cuban authorities. We are sure that in these talks, in addition to offering the Colombians a good residence and a Mercedes Benz in Cuba, Martinez did not present himself as a simple member of an isolated group engaged in these kinds of activities. Escobar's demands at the meeting also indicate this. He wanted to buy antiaircraft missiles. He wanted to have a plane available in Cuba at all times. It is very clear for all of us that the revolution's top authorities and leaders were being mocked at these meetings.

Subsequently, in light of these failures and problems, Martinez informed Ochoa of what was going on. It is necessary to state that in one way or another, even with the use of telephones, consultations were made and

approvals and instructions were requested. Defendant Ochoa Sanchez has admitted this and so has Martinez. In December Ochoa Sanchez and Martinez had a meeting. They decided that Tony de la Guardia's men were a bunch of fools. All they had carried out were small deals. They wanted to make big deals—big deals have been an obsession with Ochoa for a long time. But he continued to discuss business with Tony de la Guardia. In April there was talk of a big deal. They were going to receive a shipment of 10 tons of cocaine. The shipment would be brought on a merchant ship and many launches would be used to pick up the big shipment. Ochoa Sanchez and Martinez were determined to succeed in this drug-trafficking business. They wanted to make huge profits. Furthermore, and this is quite interesting, on 28 April Ochoa asked Tony de la Guardia for $50,000. What was this money for? It was to be invested in the business we were talking about a little while ago, the Colombian drug trafficker's deal, the "Jennifer" deal being handled by the great manager, Ciro Moscoso. That $50,000 was deposited in Panama and today is in Cuban Goverament hands. But there is more.

During Martinez' last trip to Panama, sometime between 28 April and 5 May, he persistently tried to continue those operations. On 4 May 1989, he made a telephone call. The plans are known to everyone: A foreign investor, a friend of Ochoa Sanchez, was going to build huge buildings and make huge investments. Thanks to all those deals, the country would be saved. Also, the country's morale would be at stake. Only minds like Ochoa Sanchez's, Martinez's, and the other defendants', could think that this is the way to save a country. Thank you.

[Escalona] No more questions, Mr President.

[Espinosa] Lt Col Eduardo Delgado, you may step down.

Summary of 4th Session

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["Summary" of the fourth session of the court-martial of Division General Arnaldo Ochoa Sanchez and 13 other Revolutionary Armed Forces (FAR) and Interior Ministry (MININT) officers at the FAR Universal Hall on 4 July—recorded]

[Excerpts] [Division General Ramon Espinosa Martin] We will resume the trial now. We will now begin examining the experts' reports. Secretary, you may call the expert.

[Lieutenant Colonel Ernesto Varsallo Consuegra] Lieutenant Colonel Marta Subero Valdes.

[Espinosa] Expert, you may identify yourself please.
[Subero] I am Lt Col Marta Subero Valdes.

[Espinosa] Expert, the law compels you to act properly and carry out your work faithfully; otherwise, the law will charge you with criminal responsibility. Please explain to this court the work you carried out and the conclusions you reached based on your expertise.
[Subero] Along with five envelopes containing samples of a white powder, the State Security Investigation Department [Departamento de Instruccion] sent us a request for an expert report. That white powder had been confiscated at Key Romero, north of Punta Hicacos, from defendants Amado Padron Trujillo and Eduardo Diaz Izquierdo.

We conducted the tests as established by the UN International Narcotics Control Board, because our methods agree with those established by the said organization.

First, we analyzed the white powder under the microscope and found that each of the samples were homogeneous. Based on those results, we decided to use two methods to identify the substances.

The first method used is called (capafina). We used higly soluble (S-254) silica gel plates as the supporting base. We used a methanol and amonia solvent at a proportion of 99 to 1 as the mobile base [base mobil]. Using (dragendorf) and platinum iodine [yodo platinato] solutions, we discovered that the substance tested showed the same reaction in its RS [not further specified], form, and color. The test thus proved that the substance we had examined was cocaine. We then placed a control sample of cocaine in our plate. We applied the same test to the five samples we had received and to the control sample. The five samples and the control sample reacted in the same manner.

The second method used is one of ultraviolet [word indistinct]. The substances underwent both a qualitative and a quantitative analysis and all reacted in the same manner. We concluded that the tested substance was 100-percent-pure cocaine.

[Espinosa] Have you finished?
[Subero] Yes.

[Espinosa] Does the prosecutor wish to ask any questions?

[Brigidier General Juan Escalona Reguera] No, Mr President.

[Espinosa] Do the defense lawyers wish to ask any questions?

[Reply unheard].

[Espinosa] Expert, you may leave. Thank you very much. This tribunal will take into account the documentary proof related to this case at sentencing time. Comrade Prosecutor, lawyers, and defendants: Do you have any other evidence that will help us solve this case?

[Reply unheard].

[Espinosa] We have concluded the evidence presentation period.

Comrade Prosecutor, please present your concluding argument.

[Passage omitted on Prosecutor Escalona's closing remarks published in 11 July Latin America DAILY REPORT, pp 3-10:

[Espinosa] The defense lawyers have the floor. Colonel Alberto Ruben D. Toste Rodriguez, defense lawyer for defendants Arnaldo Ochoa and Jorge Martinez Valdez.

[D. Toste] Comrade president, magistrates of the tribunal, comrade prosecutor, and comrade defense lawyers. I will now speak on behalf of defendants Ochoa and Martinez, in compliance with the military criminal law, to contest the prosecutor's final report regarding the penalty he feels should be imposed on the two defendants whom I represent. I must first make clear that I am speaking on behalf of the defendants; I am not trying to justify the serious crimes they have committed. I would not be worthy of occupying the position I hold if I were to interpret the defense lawyer's role in this way. Defense lawyers, the prosecutor, the tribunal, and the people in general must surely feel deeply indignant and grieved by the deeds perpetrated by the defendants. Nevertheless, this profound and just repudiation of their actions cannot affect the impartiality of those of us who must fulfill the honorable mission of administering or assisting in the administration of justice during this trial.

The defendants themselves have admitted before this tribunal their responsibility for the actions for which they have been charged and they have repudiated these actions. They are aware of the serious breach of our country's security and the certain harm they inflicted on the nation by prompting the bitter and slanderous campaigns against our country's and our national institutions' prestige and honor. It is well known that our military and revolutionary tribunals, of a Mambi [Cuban rebel fighting against Spanish domination in the mid - 19th century] and rebellious origin, have been marked by their generosity since the beginning. This generosity, however, does not at all mean unlimited tolerance; it means strength.

At present, these tribunals are based on advanced legislation and are part of the judicial and penal system that established these tribunals. These tribunals are based on revolutionary principles, the application of which results in exemplary trials, such as the one in progress. My defense is based on the argument that my defendants should not be given the sentence that the prosecutor has. I base my defense on this legislation, specifically on the Penal Code and the military criminal law, which serve as the framework for my defense. We should not burden the tribunal with superfluous information. We have listened to a thorough report by the prosecutor, and we have yet to listen to other defense lawyer reports.

According to the Penal Code, however, it is up to the defense lawyer to properly represent the defendant using legal means to clarify facts and circumstances, which, in this case, might point to extenuating circumstances characterizing the defendants' responsibilities. We believe that the charges against the defendants have been sufficiently proven. The defendants themselves have admitted this before the tribunal, and they have even contributed additional information the base nature of which corresponds to the seriousness of the offenses.

Nevertheless, circumstances that the law describes as extenuating were brought up before the tribunal during the trial. The tribunal should take these circumstances into account before agreeing on the penalty to be imposed, that is to say, before selecting just sentences. We must describe what the Penal Code states regarding the tribunal's sentencing decision, which should be made according to the scale that the law stipulates for each crime. This is what the Penal Code stipulates in Article 47, Paragraph 1:

The court will establish the sentence within the limits established by the law, following legal socialist standards, particularly taking into consideration the deed's degree of danger to society, the circumstances—both extenuating and aggravating—relating to the deed, and the defendant's motives; as well as the defendant's record, personal characteristics, behavior after perpetrating the crime, and possibilities of reforming him.

Referring to our two defendants and the extenuating circumstances surrounding their actions, we have ascertained throughout the hearing that, in the case of defendant Martinez, the circumstances outlined in the Penal Code's Article 52, paragraph CH, were fully established. The extenuating circumstances are described as follows in the Penal Code:

The following are considered extenuating circumstances:

CH. The agent spontaneously proceeded to prevent, redress, or diminish the effects of the crime, or to indemnify the victim, or to confess to the authorities his participation in the deed, or to help clarify the deed.

We believe that this hearing has clearly established that defendant Martinez has repeatedly confessed his crime, and he has helped clarify how it was carried out—not only here at the hearing, but also—as stated by the investigators—since the very moment of his arrest. Therefore, we request that these extenuating circumstances be taken into consideration in defendant Martinez' case.

In addition, based on our inquiries and what you ascertained—and as the prosecutor rightfully stated in his closing argument during the trial—the defendant observed good military conduct prior to the perpetration of the crime. The defendant may have committed a crime but, as the law states, this does not imply that his conduct prior to the perpetration of the crime should be discounted.

Referring to defendant Martinez' record, we are talking about a relatively young military officer who—as he has stated here—joined the military service and was mobilized to carry out an internationalist mission. He carried out his missions on several occasions and, based on the reports, the results of his missions were favorable. It appears that his behavior following the perpetration of his crimes could not have been better and, in our opinion, the possibilities of reforming him—given his age and given his latest attitude—is evidence completely in his favor. I refer to this because precisely the previous article, Article 47—which I read and which establishes the guidelines that the court must follow to establish the sentence—states that such personal attributes on the part of the defendant should be taken into consideration. I do not refer to the crime he has committed, the seriousness of which has been reaffirmed and established, but to the defendant's personal traits.

As for the other defendant, Ochoa, the prosecutor believed that his good behavior as an officer should also be taken into account. It is pertinent to mention at this point the extenuating circumstances mentioned in subparagraph CH of Article 52 of the Military Crimnal Law, which states: In addition to those pointed out in the Penal Code's main text, the following extenuating circumstances shall be considered in connection with crimes committed by military men: Ch. The defendant must have demonstrated genuine regret through the act of reproving his own criminal behavior.

Of course, this regret must take place after the crime has been committed. We believe that at every opportunity, defendant Ochoa has shown that he completely regrets his criminal behavior and has morally reproved his own actions, as the Military Criminal Law stipulates. In other words, he has expressed his regret through his moral condemnation of his behavior. As we have said, we can attest that this happened during our meetings with him. Virtually since the beginning, this defendant has declared himself guilty of all charges and has courageously and honestly said that he is assuming full responsibility for his actions. He has said that he is willing to accept any penalty the tribunal decides he deserves.

You saw this happen at the honor tribunal, it was confirmed during our interview, and occurred again here at this tribunal. According to the law, this truly constitutes an extenuating circumstance. Regarding the defendant's record, also in accordance with Article 47, Ochoa joined the rebel army when he was still a minor, as we know and as the prosecutor said in his thorough report. I will not try to trace the defendant's military career, because his comrades-in-arms and those not participating in the trial believe that he has marred his career. We will not outline his military career. We will, however, describe the conditions under which he joined the rebel army. In the determination of the legal penalty appropriate for his crime, we should use as a basis not what he is today, but his personality at the time that the crime was committed because, as a result of other related sanctions he has been found to deserve, he was stripped of his distinction as Hero of the Republic of Cuba, his Communist Party membership, and his military rank. I think that the sentence should take into consideration all of these distinctions and honors of which he is no longer worthy.

In addition, Article 47—which includes six paragraphs and which I have read for you—refers to his behavior after he committed the crime. We also believe, for the reasons I have just mentioned, that this defendant's behavior demonstrates there is a good chance that he is capable of reform. In light of the way in which he has behaved and returning to the time when he was stripped of his honors and distinctions, I believe that he is capable of reform, although, as he said at the trial and as you will recall, the crime he committed could not be expiated even with 200 years of heroic actions.

We believe, however, that Ochoa's courageus self-criticism, to which the prosecutor also referred, should make the tribunal consider the possibility of his reform. For all of this, comrades, and without trying to burden you with details, I contend that the sentence demanded by the prosecutor should not be pronounced. I have asked several witnesses about the defendant's regret. I think that Ochoa's regret has been genuine and that the tribunal will impartially take this into consideration at the time when a fair sentence will be passed.

This is why, comrades of the tribunal, we are reiterating what we said before, that defendants Ochoa and Martinez should not receive the penalties demanded by the prosecutor; instead, they should be sentenced to imprisonment for a period to be determined by the tribunal. We believe that both men, through their behavior after their crimes, have become worthy of this opportunity. We are certain that your decision will be just. I have finished.

[Espinosa] Defense lawyer Major Juan Aramis Villalon Ona, on behalf of defendant Antonio de la Guardia Font.

[Villalon] Comrades of the tribunal and the prosecutor's office: I will now make my final statement on behalf of defendant de la Guardia based on the facts brought forth and the conclusions reached during the hearing. I must say that I repudiate the defendant's base, shameful, and destructive international drug trafficking activities, which is the scourge of mankind. Nevertheless, I am assuming the mission entrusted to me by the revolution, without betraying our revolutionary principles, as a

party member and as a MININT official. I am taking over as de la Guardia's defense attorney in compliance with the Constitution and the Military Criminal Law, which provides defendants with ample guarantees for a fair trial. I will try to secure an adequate, just, and equitable decision for the defendant.

I have no doubt, however, of the facts that gave rise to the preliminary hearing proceedings and subsequently this Military Honor Tribunal's case no. one of 1989. Similarly, I have no doubts about the defendant's guilt, as admitted to and proven during the hearing.

We agree to the public prosecutor's findings as to the nature of the crimes as stated in the prosecutor's third provisional conclusion. Regarding point five of the prosecutor's conclusions, we ask the court to take into consideration at the time of establishing my defendant's sentence—as stated in Article 47, paragraphs 1 and 2, of the Penal Code, Law 62—the provisions stated in Chapter 15 and Article 52 of the Military Criminal Law, the text of which states:

Regarding crimes perpetrated by military officers, the following will be considered extenuating circumstances, in addition to those stated in the general articles of the Penal Code:

A. Good military conduct prior to the prepetration of the crime.

C. [No B. as heard] Outstanding services rendered to the homeland before or after perpetrating the crime.

CH. A sincere repentance demonstrated by one's morally reproving one's own criminal conduct.

We have been able to discern this behavior in the defendant's declaration to the court and when he was questioned by the prosecutor and the defense attorney. We have also been able to consider his actions in relation to what is stated in paragraph E, section 6 of the Penal Code: Prior to the perpetration of the crime, the subject demonstrated good conduct while fulfilling his duties toward the homeland, his family, and society.

We will not be tiresome and establish each and every one of the extenuating circumstances that we ask this dignified court to take into consideration, because this statement would be too long. Similarly, we ask that the court sees fit to apply Article 55-1 of the Military Criminal Law, regarding an evaluation of the defendant's personal traits, character, and other circumstances that the court considers worthy of taking into consideration.

Comrades of the court, comrades... [corrects himself] comrade prosecutor, all that remains is to give you my most sincere and revolutionary gratitude for the opportunities I have been given to carry out my defense—which reconfirms once more the principles of our socialist law and the equity which prevails in our courts. We expect a just ruling from the court, and we expect that the request for a death sentence will be commuted for one which the court considers more benign. I have concluded my final statement.

[Espinosa] Major Aristides Ruisenor de la Pena, lawyer of defendant Amado Padron Trujillo.

[De la Pena] Comrades of the court, we are attending—in my personal opinion—the most important trial to take place in Cuba since the victory of the revolution. The importance resides in the grave violation of basic ethical principles of the Cuban revolution and the international repercussions that have occurred as a result of the actions of those tried here.

An inviolable principle of revolutionary justice guarantees each defendant a lawyer to represent his interests and to provide the court handling the case with the necessary information to reach a just decision. Nevertheless, it is necessary to clearly establish that out of respect for the court, other participants in the hearing, and for ourselves and the defendant—who has fully confessed to the crimes with which he is charged—we will not try to deny the fact that the crimes were committed, nor will we diminish their severity. We are part of the people; we joined the ministry's ranks when it was founded; during our youth we learned about recent events and our people's demand for honest public officials; we were imbued by the moral examples set by Law No. 5 in the Moncada Program concerning the the confiscation of an embezzler's posessions; we have been ideologically and morally informed by the noblest virtues and highest principles in the ministry [MININT].

The revolutionary morale of our institutions has undeniably been affected, but the revolution's strength is so great that the setback it has suffered will be turned into an inexorable victory. Our people know that the vast majority of the members of our military institutions set an example through their virtuous conduct and represent a legitimate source of national pride.

We have represented the defendant Padron following the established guidelines, and we will present our conclusion accordingly. The legal classification of the crimes of which my defendant is accused is consistent with the actions for which he is being tried; the elements specified in each penal classification have undoubtedly been proved, and they have been fully admitted by my defendant.

Consequently, I consider it unnecessary to make a lengthy analysis of the issue. It will be more worthwhile to review other aspects which, in my opinion, prove extenuating circumstances affecting his culpability. I believe that the defendant's merits and other favorable aspects of his character must serve as extenuating circumstances to mitigate his responsibility from a criminal standpoint.

Article 52 of our law on military crimes, approved by the National Assembly of the People's Government in February 1979, states that the following will be considered extenuating circumstances, in addition to those stated in the general articles of the Penal Code:

A. Good military conduct prior to the prepetration of the crime.

C. [No B. as heard] Outstanding services rendered to the homeland before or after perpetrating the crime.

CH. A sincere repentance demonstrated by one's morally reproving one's own criminal conduct.

Those circumstances apply in my defendant's case and should be taken into consideration by the court, because he has a record of more than 24 years of exemplary service.

He confronted imperialism's mercenary bands in Escambray. He was highly praised for his achievements in sensitive areas while he worked for the ministry. He never had to be disciplined. He has never been penalized for a criminal offense. The party, of which he has been a member since it was organized, has never had to sanction him. In addition, he has demonstrated remorse, which is the first step in the rehabilitation of a man who has violated the law.

Something else that is very important to consider in assigning blame in this case is the fact that Amado Padron did not mastermind the drug-trafficking operations. He was instead the recipient of the evil seed from the hands of another defendant. At the time, Padron was unable to reject this corrupt proposal. His assistance in helping to clarify this situation is another circumstance that should be taken into consideration in determining his punishment under the law. We should draw from this trial as many lessons as possible, which should help the party and government leadership take the proper steps to avoid a repetition of similar events. The affected agencies and the revolution will learn much from examining the motivations for the actions that are under investigation here.

This is why I must discuss three things that were brought up during the trial that contributed to what happened: first, the absence of adequate control mechanisms in the MC, which should have been in place because of the highly sensitive missions entrusted to the department; second, ideological formation; and, third, the environmental influence. All of us who have studied scientific leadership know that this system is characterized by the existence of an echelon, whose levels or grades are harmoniously interrelated. An essential principle governs the various steps. This is the subordination of the lower levels to the upper levels. The latter must control the former's activities by various mechanisms, such as reports, inspections, audits, etc.

When the leader exerts control, regardless of his ability to correct deficiencies or to become personally acquainted with his subordinates and their activities, he has an opportunity to share his experience and communicate his knowledge and experience. In essence, the leader has the wonderful opportunity to educate, which constitutes one of the fundamental duties of every leader. He must educate his subordinates most of all on the Cuban revolution's policy, sacred respect for the principles that have made the revolution—we say this with pride—an example for other revolutions. Of course, this supposes that the teacher sets a good example and that there is no contradiction between his words and his deeds.

Our history is full of examples of great teachers, such as Felix Varela, Marti, Maceo, Viteras, Mella, Camilo, El Che. All of them have left legacies we will never forget. A living example is our commander in chief, who has always been keenly interested in the people's education since he achieved public prominence. All of his speeches contain valuable teaching material backed by his personal example, great human sensitivity, insight into the future, and optimism regarding the future of mankind.

More attention should be given to ideological formation, judging from what we learned during this trial. It is clear that a firm ideological foundation would preclude the behavior that has made this trial necessary. Providing each one of us with the ideological foundations of socialism, the Cuban revolution's policy and the principles that guide it would help build a solid shield against any corrupting germ that tries to infect us.

I support the idea that any noxious idea should be neutralized in the mind before any plan to carry it out can be developed. An individual must have the necessary inhibitions to prevent, following the internal debate that occurs in the mind, his making decisions that violate social norms. However, these inhibitions are only acquired as a result of adequate ideological training and a certain amount of education and culture.

The trial has clearly demonstrated the influence exerted by the atmosphere which then prevailed in the MC that made some comrades vulnerable—most of whom had a long revolutionary history full of heroism and personal sacrifices. Given this contaminating atmosphere, not one of them was capable of denouncing these activities, which were skillfully hidden beneath noble goals.

Referring to the prosecutor's request, I believe that, although it conforms with penal standards, it is too severe in regard to my defendant given the extenuating circumstances relating to his case, which I have expounded upon throughout this statement. The death penalty is the most severe penalty in our penal code, and it is only handed down in very special cases. This is reasserted in Article 29 of this new legal code, which conforms to the latest principles of the penal law.

A small period in a man's life, although marked by serious crimes, cannot wipe out a long and rich revolutionary role that was marred by a lack of control and a corrupting atmosphere. We must ask ourselves: Can Amado Padron possibly make up for this conduct and become once again the person he was until a few years ago? The experience acquired and the bitter lessons learned from this trial could create the right conditions for rehabilitating him.

Our penal code allows many forms of punishment and the issuance of separate sentences for those who violate its precepts. I firmly believe that this court—made up of valuable and wise men who have a long revolutionary history; who know, interpret, and carry out the ideological guidelines of the revolution; and who have given us proof over the past few days that their actions are measured and wise and full of the greatest guarantees a trial can offer—will pass an appropriate judgement on the actions of my defendant, and will issue a ruling in accordance with his record and the circumstances relating to the deed. I have finished.

4th Session, Part II

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["Summary" of the fourth session, part II, of the court-martial of Cuban Division General Arnaldo Ochoa Sanchez and 13 other Revolutionary Armed Forces (FAR) and Interior Ministry officers at the FAR Universal Hall on 4 July—recorded]

[Text] [Division General Ramon Espinosa Martin, special military tribunal president] You may speak.

[Captain Roilan Hernandez Concepcion] Comrade President of the Special Military Tribunal, Comrade judges, Comrade prosecutors, and Comrade defense attorneys: We have been tasked with defending before this tribunal defendants former Major Antonio Sanchez Lima and former Captain Leonel Estevez Soto, who are former officers of the well-known Interior Ministry [MININT] MC [department responsible for bypassing U.S. embargo against Cuba].

It is extremely difficult for any revolutionary attorney to defend people who have inconsiderately violated their people's most sacred principles and interests; the greatness and security of this revolution; the credibility, prestige, and honor of our Revolutionary Armed Forces and our MININT, and the international reputation and credibility of our commander in chief.

Nevertheless, over the past few days we have concentrated our efforts on defending the rights that revolutionary laws have granted these men, despite the serious actions that they have carried out.

Before proceeding, we wish to acknowledge the guarantees offered by this tribunal in our defense efforts and to thank the members of the tribunal for this. We have been allowed to present freely and at length our defense arguments for those we represent. We also thank State Security for allowing us to meet with and to be in constant contact with our clients ever since we assumed their defense.

It is true, as our people have said and the prosecutors have reaffirmed in their many statements, that the defendants in this trial, and specifically my clients, over the past 2 and ½ years, strayed from the revolutionary path and violated the duties, principles, obligations, and standards established for MININT members, which our commander in chief summarized during a speech celebrating the 25th anniversary of the MININT.

He said: The conduct of MININT combatants must be above reproach. They must observe a special conduct because they are seen everywhere in the eyes of the people as the very symbol of authority, law, moral values, and respect for citizens and the values of the socialist state. They must be self-demanding and fight with vigor and determination any attempt to further personal interests, corruption, vanity, scorn for the people and their values, and all those things that might promote the enemy's goals.

We are aware of these actions that the defendants have admitted to; we are also aware of their seriousness and the possible consequences for our country. Although this is the reality that we as defense lawyers must face, we must also point out to this tribunal things that might help it to reach a fair judgement, that is, one that really corresponds to the involvement of our clients in the crimes committed.

As for defendant Leonel Estevez Soto, it was shown during the hearings that he carried out two drug-trafficking operations. The first one took place in January 1987. This operation failed and no money was collected, because it later turned out that the alleged marijuana shipment was 90 percent dry grass and did not contain drugs.

The second operation coordinated by Estevez Soto was carried out in April 1989. In that operation, a plane from Colombia dropped a cocaine load in Cuban jurisdictional waters. The drug was picked up by speedboats owned by U.S. drug traffickers.

The prosecutor labeled the proven facts as crimes of hostile actions against foreign states and drug trafficking. The defense agrees with the legal description presented by the prosecutor during his concluding argument, but it wishes to make the following statements regarding my defendant's degree of participation in the crimes.

Regarding the first drug-trafficking operation conducted by Estevez Soto, this tribunal must take into account that although the operation was carried out through my defendant's business connection, it cannot be asserted that my defendant coordinated and planned the operation. On that occasion, my defendant and his superior met with the business connection, who ended up being a drug trafficker.

On that occasion, the drug trafficker proposed to carry out the marijuana-trafficking operation that we discussed earlier. My defendant's superior immediately consulted with the chief of the MC Department and requested his approval to conduct the illegal operation. The chief of the MC Department authorized the operation.

We insist on reviewing this aspect, because my defendant's participation in that activity was authorized by his superior even though it was illegal. My defendant was directed by his superior. My defendant was ordered to carry out that activity.

That failed marijuana trafficking operation was carried out between late January and early February 1987, as we said before. It was not until April 1989—2 years and 4 months later—that Estevez Soto participated in the second drug trafficking operation. His participation in this second operation is similar to the first one. Estevez got in touch with the drug trafficker in the presence of his superior, who requested the MC Department chief to approve the operation he planned and directed.

The time between the first drug trafficking operation and the second one, in which my defendant participated, is noticeable. During that time, my defendant continued to work at the MC Department, carrying out other tasks, many of which were important for our country.

We will now discuss the extenuating circumstances of my defendant's criminal responsibility. We believe Leonel Estevez Soto's crimes included extenuating circumstances of criminal responsibility established in Article 52, subparagraphs A and CH of the law of military crimes and Article 52, section CH of the Penal Code. Those circumstances must be taken into account, because our defendant observed good, military behavior prior to the commission of the crime, he expressed sincere regret over his actions through his own moral reprobation of his behavior, and he helped solve this case, as has been irrefutably proved by the evidence presented during the hearings.

When deciding my defendant's sentence, we ask this tribunal—per Article 47, Section 1, of the Penal Code—to take in account our defendant's record of good military behavior displayed before the commission of the crimes. In addition, we ask this tribunal to take into account my defendant's good behavior after the commission of the crimes and the possibility that such a good record would help him rectify his behavior, which is supported by 20 years of work in the institution and accomplishments in our ranks. We ask this tribunal to take into account the strength of the revolution itself, which without ceasing to do justice, has always trusted man's ability to change his ways and especially trusts those who, despite having made serious mistakes, grew up during the revoltion, were educated by the teachings of the revolution, and became communists.

Regarding defendant Antonio Sanchez Lima: It has been proven during this process that my client participated in six of the many drug trafficking operations carried out by officials of the MININT's MC Department under the direction of the heads of that agency. It has been proven he only coordinated one—I repeat, one—of those operations. We stress this point, because we deem it necessary to note that Sanchez Lima—contrary to what the attorney general's representative has stated during the trial—always acted under the direction of his chief, and in no way can it be assumed that he operated a drug trafficking agency independently from the MC.

We believe it is not necessary to further elaborate on these drug trafficking cases. There is enough evidence confirming those actions, which were admitted by my client. The prosecutor has described those proven criminal actions as hostile actions against a foreign state and drug trafficking.

Our client accepts the charges as described by the attorney general. However, in that regard, we would like to express our views before this court:

Although our client was involved in various actions, his participation in all cases except for one case in April 1989 was largely related to orders received from his chief and to the process of moral deterioration and corruption he faced within the MC Department in which he worked.

Let us now analyze the extenuating circumstances related to his penal responsibility:

Regarding the charges filed against my client, it has been demonstrated that his actions must be judged taking into account the extenuating circumstances of his penal responsibility as stipulated in Article 52, Clauses A, B, and CH of the Military Crime Law, and Article 52, Clause CH of the Penal Code. We appeal to the court to take these circumstances into account and accept them as valid in my client's case, as it has been demonstrated during the trial that Sanchez Lima's records reflect his correct military conduct prior to his involvement in this case. His records show no penal or disciplinary action against him.

In addition, we recall that prior to his involvement in this case, the defendant participated in a heroic action in which he risked his life when he faced the hijackers of a Cubana de Aviacion plane at Jose Marti Airport. He was

seriously wounded in the incident, having been shot three times, in his face, chest, and back. His action was recognized by the MININT's High Command and our people.

During his appearance before this court, my client showed his sincere repentance by morally recriminating himself for his criminal conduct, admitting to all the charges filed against him, and collaborating in the clarification of those charges.

We would now like to refer to the sentence against my client. The prosecutor has requested that my client receive the excessive penalty of death for the crimes already mentioned. We are opposed to that request based on the following considerations:

The current Penal Code, which was recently approved in accordance with the most advanced international regulations and the level of development achieved by our society, establishes in Article 29-1 that the death penalty is an exceptional sentence that will only be applied by the court in the most serious cases involving the crimes for which it was established.

I believe that despite the gravity of the acts committed, which my client and I have accepted, upon weighing the penalty, the tribunal must consider the contents of Article 47-1 of the Penal Code, which states that the tribunal will establish the extent of the penalty within the limits contemplated by the law, in accordance with the socialist legal framework and especially bearing in mind the level of social danger of the act, the extenuating and aggravating circumstances, and motives of the defendant, as well as his background, his individual characteristics, his behavior prior to committing the crime, and possibilities of reform.

Key aspects of Article 110 establish that if the tribunal decides to implement its provisions, this does not necessarily mean the maximum penalty must be imposed. This penal regulation establishes the penalty of between 10 to 20 years of imprisonment or death. The participation of my client, I insist, has been clearly proven in the hearings. It is not one of the gravest cases, which the Penal Code demands for the imposition of the death penalty. It does not involve a chief; it does not involve a coordinator and leader of these operations; it involves only a participant in a trial of corruption and in a group of actions pertaining to the case. Therefore, I cannot consider my client among the ones chiefly responsible, in which case there would be no other alternative but to apply a penalty of this nature.

In view of the reasons mentioned in the above allegation, there is a possibility of reform and rectification on the part of my client. If this tribunal finds the need to be severe in this case, I request it consider the contents of Article 30, Paragraph 1 of the Penal Code, which establishes that the penalty of imprisonment cannot exceed 20 years. However, for those crimes in which the penalty is could be death, the tribunal can increase the term up to 30 years of imprisonment.

Before concluding, I wish to point out to this tribunal—for both my clients—other aspects in connection with these acts. I believe the most important results derived from this trial are not the opportunity to severely punish the authors of these acts, as grave as the ones we have heard and tried. I believe the principal things derived from this trial have been the teachings and lessons received by the revolution in the path that remains of our socialist reconstruction. Also, we have shown the world, as the prosecutor indicated during one of the hearings, that our country is not a drug trafficking center. The causes analyzed during this trial have shown there was a small group of officials who were corrupted and irresponsibly decided to commit these and other improvised acts linked with drug trafficking, which were controlled. We also have the guarantee that our party and revolutionary government will adopt severe measures to wipe this shame from our history.

I request that the penalty imposed on my clients be in accordance with the circumstances presented to this tribunal and the guidelines that throughout the history of the revolution, have prevailed in the imparting of justice in our country, where the most important thing has always been man, his family, and his reintegration into society. We feel these men being tried today can be given that opportunity to make amends, thus showing once again the grandeur and daily trengthening of our socialist revolution. I have concluded, Comrade President.

[Espinosa] Defense attorney First Lieutenant Esther Recio Zamora, representing defendants Luis Pineda Bermudez and Eduardo Diaz Izquierdo.

[Recio] Comrade President, we ask for permission to begin our conclusive reports. Comrade President, judges, representatives of the prosecutor's office, attorneys accompanying me at the defendants' bench, and audience in general:

With great bitterness and indignation, we have learned about these incidents that have repulsed our people so much and are deeply affecting our revolutionary sensibility. When the ability to reflect and act in accordance with one's principles is lost, when duties are unfulfilled, and when rigorous discipline is lacking, man's conscience deteriorates, and the deterioration of his conduct follows. He then disgraces even the most sacred principles, principles that made man worthy—as our Commander Ernesto Guevara said—of the highest level of the human species: a revolutionary.

Our hardened people have set multiple daily examples for us in our search for transparent and dignified solutions to problems afflicting us. This makes even more

reproachable the conduct of those who are intent on finding solutions outside the framework of our loftiest moral values and our princples.

To me, this has been a very painful experience, because I grew up at the crucible of our revolutionary process, amid the spirit and achievements of the revolution that helped me to internalize the essence, convictions, and moral values of the revolution. This very process constitutes a palpable example of the transparency of our revolution, because regardless of the seriousness of the actions that are being discussed here, respect for our laws have not been hampered; all the guarantees established by our constitution and the law have been respected.

In this trial, we represent defendant Luis Pineda Bermudez. We were tasked with this in compliance with Article 27 of the Military Procedural Criminal Law. Without delving into aspects that have already been discussed during these hearings, I wish to refer to certain aspects we consider important in view of our client's involvement in the actions that have been discussed.

It has been shown here, through the statements of defendants and our own client, that he was fully aware of these drug-trafficking activities in our country since the 1st trimester of 1988. How did he learn about them? Through his immediate superior at the time, who is a defendant in this trial. The prosecutor's office pointed out that this citizen visited our client in Mexico, where he was working, to tell him about efforts to establish new channels between Colombians and Mexicans to continue these kinds of deals that were already under way in our country.

We have pointed out here that the defendant, who was our client's superior at the time, did not just discuss this with our client but ordered him to carry out a job, which we realize was a very grave one. Our client was thus initiated in these activities. His involvement, as charged by the prosecutor's office, began after this visit, when our client was already in Mexico, as was clear to us and shown in this trial.

After this visit, there were work meetings involving Mexicans and Colombians. As the prosecutor's office stated, our client internationalized drug trafficking activities. Our client, as confirmed in this trial, participated in a work meeting, which according to the prosecution's conclusions, took place in the morning to discuss various topics. It also states this meeting was scheduled to continue in the afternoon to further discuss such activities. Our client did not attend the afternoon meeting, but his superior at the time did. The prosecutor's conclusions also state that trafficking of drugs and foreign currency were discussed but were never carried out, because of problems we do not wish to delve into.

In my defense of Luis Pineda Bermudez, I do wish to point out that he was aware of these activities from the time his superior not only informed him about them but ordered him to seek new channels. We tried to determine the extent of his knowledge about what was happening in our country.

We were not able to determine precisely whether the defendant was fully aware of all the—let us call them—dastardly activities. He really did not really comprehend the details, amounts, and links as completely as he appeared to convey in the verbal hearing and as his superior at the time also stated. We wish to make this clear.

I fully agree with the opinion of the prosecutor's office regarding the crimes my client has been charged with. I wish to point out I do disagree with the application of aggravating and extenuating circumstances regarding our client's penal responsiblity. I will refer to that.

We feel that in Luis Pineda's case, it is valid to take into account the extenuating circumstances mentioned in Article 52, Clause CH of the Penal Code, which establishes...[changes thought] We will not read it to avoid making our presentation tedious. What does Article 52, Clause CH stipulate, among other things? The contributions made when an investigative process begins; in other words, the attitude assumed by our client to clarify the case.

Yesterday, through a witness who testified before this court, we stressed this point, which we wanted to highlight. We categorically noted that our defendant collaborated from the beginning to clarify the actions we are judging today. He was even asked in a telephone call to go to the Investigations Department to deliver $20,000 he had received from his chief at that time and to report everything he knew about the case we have judged here. It was determined he initially delivered $15,000 and then the remaining $5,000.

We are not trying to justify anything in this trial. We base our argument on a basic principle: We are the first ones to reject and condemn conduct such as the ones we are unfortunately judging in this trial. However, our client observed a positive attitude in clarifying the case. He not only turned in the money; he also gave details on how it was used, such as paying the rent for an apartment in Mexico, and whether this could be done directly. Part of that information was obtained from his chief at that time but also from him.

Why did he turn in $5,000 later on? When the attorney general's representative referred to my client's honesty, we asked him to clarify that point. He did not originally have the $5,000 that he brought in the following day. As he stated here, he had given that sum to another citizen, a comrade whom he gave a letter of authorization to

purchase a car he wanted to buy. Therefore, we strongly believe this extenuating circumstance should be taken into consideration when judging him.

We also believe that Clause E concerning extenuating circumstances for determining penal responsibility should be taken into account in our client's case. It refers to the good conduct he observed prior to the actions being judged here. Our client observed conduct consonant with his incorporation and participation in the revolutionary process. He completed 15 years of service in the MININT; he was decorated upon completing 10 and 15 years of service; and he received other decorations, including the silver seal commemorating the 30th anniversary of state security organs and 20 years of party activism. During all that time, he consistently maintained what he considered to be good conduct. Therefore, we believe this conduct should be regarded as an extenuating circumstance.

Regarding the Military Crime Law as applicable in our clients' case, we believe Clause A should be taken into consideration, as well as the Penal Code regarding good conduct and Clause CH concerning sincere repentance. We believe repentance is demonstrated in various ways, but that unfortunately, it is sometimes too late. After self-evaluating themselves and expressing before this court, and before the Cuban people who have been following this trial all these days, their repentance for this barbarity—we have to call it this—so shameful to our all our people...[changes thought] Anyway, repentance is not only expressed by crying and expressing regret; a certain attitude regarding the events can also be interpreted as sincere repentance.

Based on all these considerations, we request from this court, on behalf of our client, Luis Pineda, to study the Attorney General's Office's proposal, to analyze the events we have discussed all these days, to study the circumstances and characteristics of the events, and, consequently, to make a decision in accordance with the law.

We are also representing defendant Eduardo Diaz Izquierdo in this trial. We represent him in accordance with Article 27 of the Military Penal Procedure Law, which authorizes this legal representation.

In Eduardo's case, we would like to mention some specific aspects we believe are essential. First, we want to note how Eduardo arrived at the MC Department, which at that time was under the MININT. Eduardo began to work in that department in 1984. He carried out various duties assigned to him as operations officer. It was not until 1987—this became clear to us during this trial—when Eduardo became fully aware of all the activities related to drug trafficking.

However, we must mention some aspects regarding his full knowledge of those activities. Amado Padron, who was his chief then, called him to inform him he would no longer carry out the same duties he was performing at the MX...[corrects herself] MC Department, and that he would begin carrying out other activities, which in this trial have been described as very secret and clandestine and which our defendant and others who have participated in this hearing have described as very dangerous.

The most important thing we want to determine here, however, is the way in which he was told...[changes thought] We even want to refer to something that happened while we questioned our clients during the hearings. That questioning, of course, has its origins in a previous conversation we had. It was obviously a necessary conversation between client and defense lawyer.

When Eduardo told us how he was told about those activities, which that department had been carrying out for a while and of which he had full access, we...[changes thought] He told us this perhaps because of his nervousness, his being upset, and his incoherence in many instances. He refused to help us clarify something we consider important from a general point of view. I am referring to this: Those activities were not only described to him as dangerous and clandestine; he was not only told he should be silent about those activities. He was also told—to give him a better idea of the kind of activities they were talking about—those activities were being run by a sort of mafia, an active mafia.

As part of their wrong actions and beliefs, the defendants thought they were helping the revolution. They tried to explain that in this trial. It has been proved, however—and we are completely convinced of that—that this was not the case.

We do want to stress the way in which Eduardo Diaz got involved in and became fully aware of those activities. His chief introduced him those activities; his military chief introduced him to those activities. Let us be clear on this. Diaz began participating in those activities from the moment his chief introduced him to them.

We will not talk about the way in which Eduardo Diaz participated in those activities. We already heard Eduardo Diaz say it was neither two nor six operations. He talked a little about the number of operations with us. The number is not the most important factor for us. For us, the most important things are the actions conducted during those operations. They may have carried out 1 or 20 operations; that does not make any difference to us. What matters is the harm done to the revolution and our people. That harm was done regardless of the number of operations these defendants carried out.

Although the military—specifically in the case we are discussing here—should not analyze the extenuating circumstances that appear in Article 52 of the law of military crimes, we want to ask this tribunal to allow us to refer to them. In the Penal Code, there are two extenuating circumstances that which refer to actions carried out under the direct influence of a person upon

whom the defendant is very dependent. We want to stress here that Eduardo Diaz was a subordinate. We will not completely eliminate the responsibility our clilent has in these actions, but we want to clearly state his responsibility results from his having been a subordinate of a military chief. We all know subordination—regardless of other factors—led our client to carry out some mistaken actions.

We are talking about a dependence and a close relationship. We believe—as the prosecutor has said—Eduardo Diaz was Amado Padron's right hand. Padron was Diaz' chief at the time. We are completely convinced of and fully agree with the prosecutor's opinion on that regard. Diaz was Amado Padron's right hand, but Padron implicated Diaz from the beginning. During this trial, it had been proven Diaz participated in the operations, but Amado Pardron participated in all the activities in which Eduardo Diaz participated. During this trial, we asked Diaz what his role was in the two operations in which he participated, and he told us: I participated in those operations to get aquainted with connections that already existed. In other words, Diaz was introduced to connections that had been already made by the department. Diaz did not introduce himself to those connections. He was introduced by his chief at the time. Therefore, regarding our defendant's degree of responsibility, it is basic that we take into account his having been a subordinate.

We can also refer to the influence of the environment in which Dia moved. Some of the lawyers who spoke before us also referred to the influence of the environment. We believe Diaz began moving in this circle and even entered the MININT through the MC Department. We will not go into that here, but perhaps the environment, certain wrong actions, a bad leadership, and the lack of proper surveillance of subordinates at a given time could have influenced our client in various ways regardless of other factors—which we believe are not basic in this trial—regarding control over the MC Department and other things we are aware did not exist in the MC Department.

It has been proved—as the defendants themselves admitted—that they tried to justify their aberrant actions with previous authorizations they had been given. One of the defendants said during the hearings trying to justify their actions was a way to give themselves courage, but that they were convinced their justification was not right.

We are absolutely convinced that previous authorizations were not justification. In the case of Diaz, however, we do believe that in view of his level, he did believe those operations were authorized perhaps by a section chief or a department chief.

We believe in the case of Diaz—and we fully agree with the prosecutor—he was drawn into this, regrettably drawn into this. Perhaps from the point of view of this analysis, we feel sorry for him.

We feel sorry, because Eduardo has been a person that without ever having had...[changes thought] We do not want to justify anything, because there is nothing important listed in Eduardo's record. In the hearings, we have never mentioned his participation in the revolution, because he only participated in the adult education program, and he does not even have the medal given to those who participated in this activity. However, Eduardo carried out his duties in line with his background, until these latest activities began. Therefore, we consider there was a certain degree of involvement, from a point of view of his principles, his analysis of the problems, and of the magnitude of what he realized he was actually doing.

One can talk about his involvement, and we believe it is necessary concerning the amounts that were seized and what has been discussed here. In our client's case, it is true that a considerable amount of money was seized. We want to stop to mention the amount of dollars seized from Eduardo: $184,695. We had asked Eduardo: Did you have access to this amount of money? Were you ever given other money? For us, it was proven how and when the money was delivered: June 1989, as a result of the arrest of these defendants who were active.

Concerning the money, the pesos, seized from Eduardo: Where did these pesos come from? They came from the $35,000 that was given to him as a gift by his chief. These were incredible gifts given in this department. The defendant received from his chief a gift of $35,000, which the defendant said he exchanged in the manner in which he explained here.

After talking about his participation, let us refer now to some technical issues we feel are very important. We want to refer to the prosecutor's request—we emphasize we fully agree with his assessment—for the maximum penalty of death. We believe this crime is covered by Article 101, Paragraph 2. We are not going to read it, because it is not necessary. However, considering the request for the death sentence and the resources our law provides, which we must now bear in mind, we want to use the provisions of Article 31 of our Penal Code on adaptation of penalties and request consideration of the prosecutor's request for the death sentence to be reduced to 30 years imprisonment. We will not read Article 31, because it is covered by our legislation and the tribunal has it.

We also request this tribunal to consider Article 47, Paragraph 1 on sentencing the defendant. We are referring to the extenuating circumstances of our client's penal responsibility. We want to request the tribunal to consider Penal Code Article 52, Clause CH on the clarification of events, not with the intensity that we have mentioned them, but I think that somehow—perhaps in a manner different than other defendants in this trial—Eduardo contributed to the clarification of the case; therefore, the tribunal should decide whether or not it will consider this article and paragraph.

We also request consideration of Paragraph E, of the same article, because—without being outstanding—Eduardo maintained a consistent attitude and was adjusted to the principles and actions of our revolution up to that moment. As for the law on military crimes, I also request the tribunal consider Article 52, Paragraph A on good behavior. We also request considering this same law on Article [word indistinct], which covers sincere repentance. We have already said repentance can be expressed in many ways: crying, saying things, making wrong evaluations, perhaps justifying, or by understanding the issues we are considering here. We think that through his actions and the way in which he has expressed himself, Eduardo has shown this tribunal he has repented.

Therefore, in addition to the technical issues we have brought up, I wish to conclude by asking the tribunal to also think about one last evaluation we have considered not only for our client Eduardo, but for the two defendants we represent in this tribunal. It has been proven that all the antecedants, the attitude, all the help that in one way or another we could have provided in the clarification of these events are valid for both defendants. We have provided the tribunal—we believe so—with the elements that will allow an evaluation and just analysis, and thus be enable the imposition of penalties within the framework and possibilities the penal laws allow.

We want to point out that the tribunal must deeply analyze the causes, conditions, and circumstances that contributed—among other factors; these, of course, were not the only ones—to such serious crimes. These crimes demonstrated the need to maintain as a constant through our work behavior greater political training, ideological training, criticism at the proper time, and surveillance of all of us who are concerned with such actions. In this way, we may limit and prevent any such actions from ever happening again and unfortunately making it necessary to judge them in our fatherland.

We request this tribunal issue a verdict according to the law, according to the circumstances and the facts we have mentioned here and that have been proven.

Thank you.

[Espinosa] Defense Attorney Major Manuela Garcia Nicolas, representing defendants Alexis Lago Arocha and Gabriel Prendes Gomez.

[Garcia] Comrades of the tribunal, Comrade prosecutor, defense attorneys: In this historic trial I have been called to represent Alexis Lago Arocha—Elmer—and Gabriel Prendes Gomez. The facts learned here have shocked our people in view of the condemnable nature of their acts, divorced from our revolutionary essence. We have been able to meet with the defendants in their places of confinement and have been allowed to hear their testimonies and prepare to do our duty. With regard to our defendant Alexis Lago Arocha—Elmer—we would like to start with the charges leveled against him and which have been proven here. In fact, the defendant's confession and the evidence presented do not leave any of us in doubt that the defendant Alexis Lago Arocha did in fact participate in drug trafficking activities. He participated in six operations, five of which did not net any profit because they were unsuccessful. It was also completely proven during the oral hearing that the money collected for that single successful operation was turned over to the command. It was also proven that he did not receive any economic benefit from the operations in which he participated. Also, as stated by him and his subordinates, he did not know that his subordinate Prendes had a sum of money in his home. He was completely unaware of that. Our defendant did not participate in meetings with drug traffickers or in other similar operations and did not have any other participation. He simply engaged in activities he was instructed to carry out, which we could say were the usual activities carried out in that department. We believe that in the case of Comrade Lago there are a number of extenuating circumstances, genuine extenuating circumstances offered by his life, his conduct, and his daily performance, that is, not just as a technicality, but because they are the real facts of this man's life and his conduct.

In Article 59.2, the Penal Code allows as an extenuating circumstance a defendant's outstanding conduct in the performance of duty to the homeland, work, family, and society prior to his committing a crime. Has this man's conduct not been outstanding as a PCC [Communist Party of Cuba] founder, based on his activities prior to the victory of the revolution? Has this man's conduct not been outstanding, to have been honored several times for his selfless work and sacrifice, which have won him decorations and congratulations from this country's upper echelons? Has this man not displayed outstanding conduct in raising a family of revolutionaries, his sons all working in our ranks; his offspring have also displayed this attitude because they were educated as a revolutionary family? This man has displayed outstanding conduct not only from a technical, but also from a factual standpoint.

In addition, we see with regard to this man that Article 52-C-H of the Penal Code establishes a defendant's cooperation in the solution of a crime as an extenuating circumstance. Lt Col Pedro Alvarez Lugo has pointed out here the attitude shown by our client through his actions—that he never tried to distort things, deceive, or justify himself; he was candid and sincere; he confessed everything he had to; he said all he had to say; and really contributed in a real, spontaneous, and meaningful way toward the clarification of these crimes. We point out too that this extenuating circumstance indeed exists in his case.

We also see that the extenuating circumstances described in Article 52-A-6CH of the Military Penal Law also apply in his case. The good discipline shown prior to the

action, his good conduct and production, the fact that he had not been punished before, and past achievements prior to falling to where he is now, all demonstrate that this is so.

As for my client Gabriel Prendes Gomez, his actions were actually proven through his confession and the submitted evidence. He was actually involved in five drug trafficking operations, four of which were thwarted.

He did not participate in any meetings with drug traffickers inside or outside of Cuba. Gabriel Prendes and Alexis Lago were not greatly involved or committed because they really were not members of the main groups, not among the department heads' most trusted people.

We have seen that they were not quite successful in the activities in which they were involved. Although this does not exempt them from responsibiliy, this shows us that they were the product of overall decomposition within the department in which they worked; that they were really neither the main promoters nor the most prominent people in this kind of activity.

We also believe that there are a number of extenuating circumstances in the case of defendant Gabriel Prendes Gomez, including the one contained in Article 52-E of the Penal Code. The years he has worked at MININT, his productive work, the fact that he had not been previously punished, and his life of sacrifice and honest work should be taken into account by the tribunal.

We believe that in the case of Gabriel Prendes, the sentence that is being requested is excessive. We feel that Article 55.1 of the Penal Code, which provides for the possibility of reducing sentences, should be taken into consideration by the tribunal when it passes sentence.

We would like to make a number of comments concerning this case. The seriousness of the acts that have been revealed here cannot be denied, nor can we deny the danger that they posed to the country. As a matter of reflection—not justification—we would like to comment, not without sorrow, that upon being assigned to the MC, men who had lived lives of hard work, sacrifice, and dedication to the revolution started to be influenced by the example of the departmental heads and the environment of convenience, donations, and gifts, and the appropriation of money and goods. Blinded by consumerism, they began to view as natural and normal conduct that they themselves had opposed and condemned only a short time before. It is truly incredible. We ask ourselves: Did the example of the MC departmental heads contribute to this? Did those departmental heads fulfill their proper instructional role as these men's superiors? The answer is well known to us all. The lack of control, and revolutionary discipline and vigilance on the part of all those in this department undoubtedly helped to bring about this conduct.

The defendants that I represent—Alexis Lago and Gabriel Prendes—are not primarily responsible for these activities. Nor did they receive the greatest benefit. I ask the tribunal to take this into consideration in their behalf.

These men had ethical and moral revolutionary values which they gradually lost over the course of their work in the MC. We could also ask: Is everything lost in their case? I believe these men still have values that could be revived. I believe these men can be revolutionarily rehabilitated. Their repentance, their understanding of the dimensions of their mistakes and how those mistakes could have harmed the fatherland, and their shame before their relatives, their former comrades-in-arms, and the people are proof of what I am saying here. True repentance is the first step in rectification, and they have already taken that step. The revolution has always been generous to those who attacked it, and it has had confidence in men, as has been shown in our plans for the reorientation of our class enemies and their incorporation into society, and in our work with those who commit crimes.

Defendant Alexis Lago Arocha—Elmer—deserves a chance. All is not lost in his case. We believe that he is still salvageable. The sentence requested by the prosecutor is a penalty applied in extraordinary circumstances. That is why it is worded as it is in our penal code. I believe it should be applied to the most serious crimes, which in no way applies to my client. His sincere repentance and his conduct over the course of this process have demonstrated this. He does not deserve the maximum penalty, because he can obviously be rehabilitated.

I ask the tribunal, when it passes sentence, to also take into consideration the entire moral sanction that has fallen upon these men, and to levy a sentence that is consonant with their criminal responsibility and their personalities which, in our opinion, are not comparable to that of the other defendants being tried in this case. We hope that the tribunal will issue a sentence that is fair and in line with the degree of responsibility of the defendants that I am representing, which would in no way be the sentence requested by our comrade prosecutor. That is all.

[Espinosa] Defense attorney Major Luis Raul Martinez Perez, representing defendants Miguel Ruiz Poo and Rosa Maria Abierno Govin may address the court.

[Martinez Perez] Comrade president of the Special Military Court, Comrade justices, Comrade state attorneys, Comrade defense attorneys:

As a Cuban revolutionary, as a founder of the Interior Ministry, and as a militant of the Communist Party of Cuba, I join the people in strongly condemning the sickening events we are judging today. The accused

former FAR and Interior Ministry officers have admitted that they committed the crimes with which they have been charged. Their crimes have been proven in this trial. Those crimes endangered the security of the state, and the prestige and morale of our party, of our government, of Fidel, and of our people.

Nevertheless, fulfilling my duty as a revolutionary attorney and acting in line with our revolutionary constitution and with a mandate from our socialist fatherland, I am representing in this trial, the accused Miguel Ruiz Poo and Rosa Maria Abierno Govin. They have been charged with carrying out hostile actions against a foreign state. This crime is listed in numbers 1 and 2 of Article 110 of the Penal Code. They have also been charged with drug trafficking, a crime listed under sections 1, 3, and 4 of Article 190 of the Penal Code, Law 62 of 1988. The state is calling for sentences of 25 and 30 years in prison, respectively.

The accused, in their search for personal wealth, carried out hostile actions against a foreign state. This crime is clearly explained in Article 110 of the Penal Code. Regardless of what has been stated about the crime of hostile actions against a foreign state, I am asking this court to consider the following:

My defendant Ruiz Poo participated in two drug trafficking activities, first in January 1987. He concluded this activity in April 1984 [as heard]. During this first phase, the activities involved only preparations. His second drug trafficking activity took place in April 1989, and this time a drug trafficking operation was completed. I am asking the court to take into consideration at the moment of dictating his sentence that his first activity involved only preparations, and the second activity was not a continuation of the first, considering the time lapse.

In the case of Rosa Maria Abierno Govin, she participated in five completed drug trafficking operations. She carried out the first two operations during the second half of 1987, and the other three in April of this year. This means that there was a lapse between her first and her last activities.

I ask the court to consider that although this is not a case of due obedience to superiors, my defendants did act under the influence of their superiors, especially Amado Padron Trujillo, the immediate superior of these two defendants. It has been demonstrated here that Amado Padron very actively sought the participation of his subordinates in drug trafficking activities that he planned, organized, and directed.

Therefore I ask this court to analyze what I have stated here and to take into consideration Articles 10, 11, and 12, as well as Article 52-B of the Penal Code, which refers to actions carried out by people under the direct influence of a person on whom they closely depend. We are asking for this consideration because the immediate superior of my two defendants was the main promoter of these activities, and his immediate superior was the head of the MC. I am also asking that Article 52-C-H be considered, which refers to assisting in clearing up the facts. The assistance given by my two defendants was made evident during their statements at this trial, and by the statements made at this trial and during the Honor Tribunal proceedings by Lt Col Pedro Alvarez, chief of the Counterintelligence Operations Department.

Article 52-E is also important. It refers to people who, prior to perpetrating a crime, distinguished themselves in fulfilling their duties for the benefit of the fatherland, their place of employment, their family, and society.

In the case of Ruiz Poo, we must take into account that at age 14 he was already working as a state security officer. In other words, he was a secret collaborator for the state security department. At 16, he left basic high school and became a full-fledged member of our state security department, where he provided great services to the fatherland, for which he received the following: Decorations for 10, 15, and 20 years of service to the MININT; as well as a golden seal for 30 years work in state security; and, congratulations on work performed.

In the case of defendant [Rosa Maria] Abierno Gobin; 14 years service in the MININT; joined the revolution when she was young; took part in literacy campaigns; prior to that, she was a member of the Union of Young Communists for about 10 years; later, she joined the PCC. She merited joining the MININT through recruitment. Both defendants maintained a positive work attitude and enjoyed a high moral standing.

For reasons already mentioned by those who spoke before me, beginning in 1987—the year established by this tribunal—our ministry's MC Department began a period of great decay. As we have already stated, the MC Department was created to break the imperialist blockade and to bring to our fatherland products that were needed, such as medicine and equipment. As a result of this decay, these defendants, as well as others, began breaking the law and engaging in drug trafficking.

In the case of my defendants, I ask the court to also take into account Article 52-A of our law on military crimes, which provides for those who have demonstrated good military conduct prior to perpetrating the offense; and 52-C-H, which provides for those who show sincere repentance demonstrated by one's morally reproving one's own criminal conduct. All of us, including the Cuban people, have witnessed this before this court, during the preparatory stage of the case, as well as in all subsequent stages that involve these defendants.

Evaluating the offenses committed by my clients, in addition to the extenuating circumstances involving each of them, I ask the court that when it passes sentence, it take into account these aspects and what is also covered by Article 55.1 of our law on military

crimes, which reads: Military tribunals may reduce punishment by up to one half of the required minimum, under special circumstances and due to the defendant's special situation, as the case merits; which should basically be reflected in the sentence given. I also want to leave on record that during all this trial, while acting as defense attorney, I have received every facility the law allows and that no obstacles have been placed before me while carrying out my duty. I have finished. Thank you.

[Espinosa] Defense Attorney Major Julio A. Gonzalez Guethon, representing defendant Patricio de la Guardia Font. Attorney, you may speak.

[Gonzalez] Comrade Court president, Comrade judge, Comrade prosecutor, and Comrade attorneys who accompany us in the defense: According to Article 27 of the procedural military penal law, I have come here fulfilling my duty acting as attorney for defendant Patricio de la Guardia Font, and in that regard I wish to say the following:

In this oral hearing we have listened to descriptions of events that have shaken our people, and have deeply wounded the healthy pride of FAR and MININT members. The seriousness of the events has not at all affected respect for our socialist legal system. All the proceedings and the oral hearings prove it. The understandable fury has not evoked revenge, but justice.

I must recognize here that in this process I was given all the necessary guarantees, which allowed me to meet with my client without any time limit, to learn and to review the necessary documents, and to carry out other actions as a defense lawyer.

I must explain that my client did not participate in any drug trafficking activities, therefore he was not accused of that crime. Even though the prosecutor excluded him from the charges, I believe it is appropriate for me to point this out.

It may seem that a defense lawyer should not have to defend his client for a crime of which he is not accused, however we decided to point it out because of the commotion the entire situation has caused and because of the importance of this process, in which incidents of this type are being discussed in our country for the first time. Undoubtedly, this process has had a certain effect on my client—who is not accused of this crime.

We have read confusing international reports on this situation. When they speak of the De la Guardia brothers—Antonio and Patricio de la Guardia Font—they mention my client as being accused of drug trafficking. The situation not only requires an explanation because of the psychological pressure it exerts—the fact that my client is being processed in this same case—but also because of the moral effect it has had on him and his family. Therefore, it is appropriate for me to explain at this opportunity, that at no time did Patricio de la Guardia Font participate in drug trafficking activities. Even though he was aware of his brother's activities and even though—as he pointed—he did not have the courage to denounce him, in no way did he participate in drug trafficking activities.

After listening to the prosecutor's request, I ask myself—because there are questions we sometimes cannot answer—if Patricio was processed for the same charges he has accepted and admitted—abuse of authority—would the sentence request be as severe? The prosecutor has requested a 30-year sentence, which is punishment that is next to the death penalty. I believe that once this explanation has been made concerning my client's nonparticipation in drug trafficking activities, I should clarify some aspects of the incidents.

During the entire trial, we asked questions of other defendants and witnesses. We wanted to know about the events, we wanted to know what had been purchased and sold. We wanted to know how my client had participated in these activities. During all of the sessions of this trial, we were able to clearly prove that the initial charges concerning the trafficking of dozens of diamonds and other precious stones were not as we thought. It was learned that my client, following orders from defendant Ochoa Sanchez, had sent about six diamonds to determine their commercial value. When he learned from his brother, Antonio de la Guardia Font, that the stones had little commercial value, he gave up the diamond activity. An evaluation of the gold and emerald market did not take place, because it turned out that the gold and the emeralds were counterfeit and Patricio sent a letter to his brother telling him that if he received no authorization from his superiors to continue the market evaluation, he would not continue to carry out these activities.

This has been proven. We had the opportunity to prove this, and moreover the prosecution has not been able to disprove it. He stopped these activities when he failed to receive a reply from Antonio de la Guardia. Of course, he could not receive a reply, because Antonio de la Guardia was acting on his own.

In other words, we have considered it a fact that Patricio de la Guardia used his position to purchase certain items. This was proven beyond a doubt, and it has been admitted by my client. He purchased certain items and resold them. These items came from Cuba and were sold in Angola. He made it possible for Ochoa Sanchez to purchase ivory, and he also participated in the purchase and sale of ivory.

Another proven fact is that he used the money, the profits from this activity, both for the benefit of his mission there, and for his own benefit. In other words, these are the deeds—true crimes—that he committed; no others.

However, we believe that we have to mention Patricio's previous life. We must say that before committing these crimes—which we do acknowledge are serious and for which he himself has assumed responsibility—Patricio de la Guardia was a man who had devoted his entire life to the revolution. He was a man who participated in the guerrilla struggle. In the initial phases of the revolution, he worked hard in the construction of socialism. He participated in the mopping-up operation at El Escambray and in the confrontation with the mercenaries who landed in Playa Giron. He later participated in other activities, such as important internationalist missions. He had high-level positions in MININT, with a great sense of responsibility until the moment when, as he himself has admitted, he committed actions that were unworthy of a MININT brigadier general.

Nevertheless, these facts cannot be forgotten. He can be stripped of the countless decorations that he was awarded, but the intention of our code and our socialist legislation is that this entire background be considered when a man commits a crime. In other words, we cannot deprive this defendant, in my opinion, of the recognition of an entire range of extenuating circumstances that truly apply.

There is an important factor: Patricio's repentance, his attitude with regard to the investigation. In our initial interview with Patricio de la Guardia, when we took on his case, he told us that he had declared how he felt, how ashamed he was of the acts that he had committed. He even said that he was indefensible. In other words, this was true repentance, the conduct of a man who practically did not want to defend himself, because he is deeply ashamed of what he did. He even felt unworthy of the respectful, appropriate treatment that had been extended to him throughout the course of the preliminary investigations in the Counterintelligence General Directorate.

For this reason, I believe that the most important extenuating circumstance in this case is Patricio's repentance for what he did.

I believe that what is most significant, that is, what most clearly shed light on the aspect of Patricio's repentance that I wish to bring up in court was precisely the testimony rendered yesterday by Lt Col Pedro Alvarez Lugo, chief of the Investigations Department of the DGCI [Counterintelligence General Directorate]. Alvarez pointed out that, from the very minute of his arrest, Patricio de la Guardia displayed a good attitude in making his statements at the investigations office. In addition, here, at this solemn event before this tribunal, Patricio displayed the same frank, crystal-clear, honest attitude. At that moment we saw Patricio not as the person who had committed these reprehensible actions during his stay in Angola, but as the Patricio who had the long revolutionary record to which we have referred.

For this reason, we feel that a number of extenuating circumstances must be taken into consideration, such as having displayed good military conduct before the commission of the crime, which is embodied in Article 52-A of the law on military crimes. Article 52-C refers also to relevant services rendered to the homeland before committing the crime, and there is also the one we just mentioned, which is having shown sincere remorse through one's moral reprobation of one's criminal action. This is contemplated in Article 52-CH of the Law on Military Crimes as an extenuating circumstance.

We feel that the penalty that has been requested is extremely harsh. It has been our belief that we should somehow divide the conduct of this man, who violated ethics when he failed to report the activities of his brother after learning about them. There was a violation of ethics because it fell upon him to report them, but he was not legally bound to do so. However, as a communist and senior officer, and as an officer and member of the MININT, it was his duty to do so to safeguard the high interests of the revolution. He did not report the crime at that moment. However, as we said, this should not be considered a crime because the law exempted him from reporting it because his brother was involved. However, he did have an ethical obligation to do so.

We also feel that the punishment is harsh because it is an alternative to the death penalty. I think that when the public prosecutor asked for a 30-year sentence, this implicitly meant that Patricio should get a prison sentence. We ask this tribunal to bear in mind the extenuating circumstances provided for by our penal legislation and that Patricio be given a lighter sentence than the one requested by the prosecutor, in keeping with crimes that Patricio actually committed. Thank you very much. I have finished speaking.

[Espinosa] Defense counsel Ramon Aymeriche Salas, representing defendant Antonio Rodriguez Estupinan.

[Aymeriche] Comrade president and other judges of the tribunal, Comrade representative of the prosecution, Comrade officers who are accompanying me in this defense work, Comrade chiefs, officers, and civilians present here:

Allow me, before beginning my argument, to say thanks on behalf of my client and my own behalf for the broad opportunities this tribunal has granted to us to do our work and for the complete compliance with the procedural guarantees provided for by the military penal procedural law both concerning my client and our case.

Finally, it is now my turn to speak on behalf of my client, Antonio Rodriguez Estupinan, concerning the charges against him of abuse of authority while he was an aide to the chief of the Cuban military mission in Angola.

At the outset, we wish to stop a moment to consider the nature of the charges brought against my client. According to the provisions of the Military Crimes Law, from an objective viewpoint, the charged crime is one that is committed when a superior officer or official exceeds the powers conferred upon him by virtue of the position or function assigned to him, or when he exercises powers without authority. Three different forms of this crime are regulated and penalized: the repeated commission of the crime, its commission for personal gain of the individual concerned, or when it has produced serious consequences.

We ask: What powers has my client exceeded in the acts attributed to him by the prosecutor? What transaction, operation, or business did he carry out on his personal initiative during the time he spent at the mission? We have to say: None.

Ochoa himself said our client did nothing except on Ochoa's orders and that he doubted our client would have done so otherwise. Moreover, my client did not do anything involving an improper use of resources or illicit enrichment. Therefore, how did he exceed his authority? In serving as liaison between Captain Llicas and defendant Ochoa by picking up the money? At no time did he keep this money in his possession; it was kept in Ochoa's office, along with a small notebook in which he recorded accumulated amounts.

Comrade President and other judges on the court, we believe none of these charges have been demonstrated or proved in this court, because our client did not commit them.

To continue: What power did the defendant exercise without authority? Should we believe a person has exercised functions without authority when, in compliance with instructions issued by the chief of mission—the then Div Gen Ochoa Sanchez, hero of the Republic of Cuba, a general among generals, member of the Central Committee and a deputy of the National Assembly-...[changes thought]. Could such a man have the twisted, aberrant idea of carrying out transactions on the black market to obtain money that would make the functions assigned to my client illegal? Remember that my client went to Cuba on Ochoa's orders to request 80 million kwanzas for the construction of the airport. The deeds that are being discussed here occurred after that. Could he then have imagined this? Especially when he was later given for the mission—and other defendants participated in this—a total of 100 million kwanzas obtained in this manner for the construction of the airport?

In the course of these proceedings, it has been questioned whether or not this sum was enough for the construction of the airport. We are not going to question that; all we know is that it was a large sum to begin construction that had not yet been started and that was truly needed to pursue the course of action the Republic of Angola had taken. Was not my client trusting his superior at the time? Can this be considered an arbitrary exercise of his functions? Which of his functions did he exceed? He was a simple liaison in this activity.

Although in his interrogation of my client, the prosecutor said Captain Llicas had been chosen to deal on the black market, this has never been demonstrated here. The person who organized and ordered this mission was the accused, Ochoa. Therefore, what was Antonio Rodriguez Estupinan in this activity other than a mere tool?

In view of all the foregoing, can we say, as is stated in the prosecutor's summation, that my client planned and carried out the activities attributed to him along with his superior at the time? We are convinced that he did not. Ochoa himself, with extreme and clear frankness, said that he planned these operations himself without consulting with anyone.

Can we say that Rodriguez Estupinan participated in the purchase of elephant tusks or in the sale of cement, oil, or meat? It has been demonstrated by defendant Ochoa, by the witnesses, and by my client himself, that he did not participate in those activities.

Did my client participate in the remodeling and equipping of several houses on the outskirts of Luanda? We have to say no, because it has been proven and stated here that Rodriguez Estupinan did not participate in this activity at any time.

Can we say that he used subordinate officers to carry out different business deals in Angola? We also have to say no, because everything demonstrated here shows that my client was just another officer used by the accused, Ochoa Sanchez, to carry out this activity.

What serious consequences derived specifically from this activity? We do not want to continue repeating or reiterating everything that has been proven here in the case of my client, but the existence of abuse of authority, the charge brought against Antonio Rodriguez Estupinan, has not been proven over the course of this judicial proceeding, because the actual and legal elements of that crime have not been established or demonstrated over the course of this trial.

It would be appropriate here for us to ask ourselves: Of what is Rodriguez Estupinan guilty in these incidents? He is to blame for something very different from a penal infraction. His major crime is a political one. We say this because it was made very clear that my client—with 29 years of continuous service in the FAR, with the additional merit of having carried out four internationalist missions, including one as chief of mission, with full confidence in his work considering the positions of responsibility that he filled in the FAR, with positive results from his efforts, and with the status of being a founder of the PCC—allowed his revolutionary qualities, proven throughout almost 3 decades, to deteriorate through a lack of vigilance, critical spirit, and analysis.

That was my client's crime. It is quite different from the penal crime attributed to him here. He himself, over the course of his statement, demonstrated this when he said that his attitude—when called upon to cooperate in the clarification of these events by General of the Army Raul Castro Ruz, second secretary of the Central Committee and minister of the FAR—was an unworthy, ungrateful attitude undeserving of the slightest consideration, because he distorted the truth. In sum, he lied.

Let us recall at this point the words of the second secretary of the Central Committee and minister of the FAR on closing the fourth meeting of FAR party secretaries as long ago as May 1979. He said, and I quote: He who always praises us and tolerates what we do, does not help us. He is neither a friend nor a comrade, and of course, he is not honest, because the most dishonest conduct is the shameful behavior of he who does not criticize so as to avoid problems.

We have proved these principles were indeed violated by my client. By this action, he betrayed not only our most sacred principles but also, as he himself said, he betrayed himself. He betrayed our people, his comrades, and his family. As Justice Minister Dr Juan Escalona Reguera said only last month on receiving a group of internationalist fighters at El Cacahual, merits are attitudes in life and toward the people that oblige us to be better every day. Sadly, in this case, my client also failed to abide by this principle.

Comrade President and other members of the court. In the case in which I am serving as defense counsel today, in line with the ideological, ethical, and legal principles of our socialist state, I request you consider what I have said in my presentation and exonerate my client from the penal responsibility with which he is charged, because as I have said, his is a very different crime. It is a crime in which his conscience, as the maximum tribunal, will impose the most severe and just punishment that can be given to a revolutionary who has betrayed the confidence of his party, his top leaders, and his people. That is undoubtedly the true punishment Antonio Rodriguez Estupinan deserves.

Thank you very much.

[Espinosa] The defense counsels have completed their presentations.

Defendants: Do you wish to add anything new that has not been presented in your defense?

The oral proceedings have concluded.

Sentencing is to follow.

Comparison of Castro Addresses State Council

PA1507200689

Havana Cubavision Television in Spanish at 2330 GMT on 13 July broadcasts a recording of the speech by Cuban President Fidel Castro at the meeting of the State Council in connection with case No 1 of 1989 of the military court pertaining to the case of former Division General Arnaldo Ochoa Sanchez, at the Revolutionary Armed Forces, FAR, Universal Hall on 9 July. The Havana Cubavision Television Spanish version has been compared to the Havana Domestic Radio and Television Spanish version published in the 13 July Latin America DAILY REPORT, page 1, and found to be identical, allowing for the following fills and clarifications:

page 23 column two, from last paragraph, first sentence, the Cubavision version reads: Our party, our FAR are two essential, fundamental, and basic institutions to our Revolution. Each one faces different problems; they face problems of different natures. There was really no mafia in the Armed Forces. Only two individuals [from the FAR] were involved in those activities, and this is the time to say things and to say them clearly. [new paragraph]

How much time...(rewording)

page 25, column one, line eight, Cubavision version reads: ...the news that he had been lusting after women, and saying he...(clearing words indistinct)

page 25, column one, first paragraph, penultimate sentence, Cubavision version reads: ...exactly the same situation. Those are such...(clearing queried word)

Comparison of Ochoa 2d Session, Part II

PA1507140289

Havana Cubavision Television in Spanish at 0030 GMT on 5 July broadcasts a recording of the second part of a summary of the second session of the Cuban Revolutionary Armed Forces (FAR) military tribunal's hearings into the case of former Division General Arnaldo Ochoa Sanchez at the FAR Universal Hall. The Havana Cubavision Television Spanish version has been compared to the Havana Television Cubana Network Spanish version published in the 14 July Latin America DAILY REPORT, page 2, and found to be identical, allowing for the following fills and clarifications:

page 3, column one, third paragraph, first sentence, Cubavision version reads: [Escalona, interrupting] So, to the border guard patrol the ship is...(supplying words indistinct, rewording)

page 4, column one, second paragraph, first sentence, Cubavision version reads: ...saying that you are a man who could act with impunity in this country? (supplying words indistinct)

page 4, column two, second paragraph, sentence twelve, Cubavision version reas: ...seem somewhat funny, because it is laughable, it even makes me want to laugh because other comrades said the same thing—however, that is...(supplying passage indistinct)

page 5, column one, fourth line, last sentence, Cubavision version reads: ...truth about the $200,000. [new paragraph]

[Escalona] That is...(supplying additional word)

page 5, column one, second paragraph, first sentence, Cubavision version reads: ...you received $200,000, or rather $300,000 after the operations had been suspended, because De la Guardia was no longer...(clearing words indistinct, rewording)

page 5, column two, fourth paragraph from bottom, sentence two, Cubavision version reads: ...chaos and disorder that Tony de la Guardia had established in that department. (supplying words indistinct, rewording)

page 9, column one, fourth paragraph, first sentence, Cubavision version reads: ...the orders of Elmer in the department...(supplying name)

page 9, column one, fifth paragraph, first sentence, Cubavision version reads: ...already transferred to Amado Padron's command? [new graf] [Abierno Gobin] That...(supplying words indistinct)

page 12, column two, first line, make read: ...van or a little bus with that money...(supplying words indistinct)

page 12, column two, third paragraph, first sentence, Cubavision version reads: ...[Escalona, interrupting] Who provided that money? [new graf] [Abierno Gobin] The...(rewording question)

page 13, column one, from second paragraph, last sentence, Cubavision version reads: ...keep it. [new paragraph] [Escalona] Generous chief. Anyway, that...(supplying word indistinct)

page 13, column two, from paragraph eight, last sentence, Cubavision version reads: ...Gobin] Yes, yes. [new paragraph] [Escalona] Is that in writing? Is that legal? [new paragraph] [Abierno Gobin] That...(supplying words indistinct)

page 14, column one, last paragraph, first sentence, Cubavision version reads: ...[Escalona] In what speciality? [new paragraph] [Abierno Gobin] The...(supplying word indistinct)

page 15, column one, sixth paragraph, sentence four, Cubavision version reads: ...sending a ship with marijuana from Jamaica, sailing...(supplying additional words)

page 15, column one, penultimate paragraph, first sentence, Cubavision version reads: ...was only a clarification. [new paragraph] [Lago Arrocha] Well...(supplying word indistinct)

page 15, column one, last paragraph, last sentence, Cubavision version reads: ...here, it appears not. [new paragraph] [Escalona] It...(supplying word indistinct)

page 16, coulmn one, fourth paragraph, first sentence, Cubavision version reads: [Escalona] Did they tell the border guard they were ensured safe-conduct from Tony de la Guardia? [new paragraph] [Lago Arocha] They...(supplying queried word and words indistinct)

page 16, column one, same take, paragraph seven, last sentence, Cubavision version reads: ...it had the letters of marque [patente de corso] of the MC...(supplying word indistinct)

page 19, column one, antepenultimate paragraph, second sentence, Cubavision version reads: ...for some Interconsul services. He had to...(rewording)

page 19, column two, last paragraph, fifth sentence Cubavision version reads: ...the instructor can vouch for that. So, he...(supplying queried word, rewording)

page 20, column one, first paragraph, penultimate sentence, Cubavision version reads: ...to be discussed, and he traveled to Cuba. A few days...(supplying words indistinct)

page 20, column one, second paragraph, from sentence ten, Cubavision version reads: ...was drug trafficking. However, maybe because I did not have strong principles, or for millions of reasons that we will have time to analyze and review here, I had already given my opinion to Amado, and Amado discussed it with Tony. Amado Padron can corroborate this, and I think Tony de la Guardia probably remembers, too. Later he spoke about tobacco—smuggling tobacco into the United States. He said...(supplying passages indistinct, rewording)

page 20, column one, second paragraph, from antepenultimate sentence, Cubavision version reads: ...drugs there. He combined the two operations, although-...(supplying queried word, additional wording)

page 20, column two, second paragraph, last sentence, Cubavision version reads: ...I [changes thought] I just want to explain how things happened... [new paragraph] [Escalona, interrupting] Go on, son. [new paragraph] [Ruiz Poo] He told me...(supplying queried words, rewording)

page 20, column two, fourth paragraph, third sentence, Cubavision version reads: ...left, Eduardo would take care of Reynaldo, who should travel here, while I stayed over there to act as liaison. [new paragraph] Another operation was...(rewording)

page 21, column one, from fifth paragraph, Cubavision version reads: ...$40,000 or $42,000. [new paragraph] In fact, when Amado Padron was in Panama, I showed him the money that I had received as a commission. From that $40,000, I gave $20,000 to Tony de la Guardia-...(supplying queried words, rewording)

page 21, column one, paragraph seven, from penultimate sentence, Cubavision version reads: ...you. [new paragraph] [Ruiz Poo] Let me explain. Look, we had...(supplying queried word)

page 21, column one, penultimate paragraph, sentence three, Cubavision version reads: ...even before returning, about 5 or 4 months later [stutters] More or less 5 months later, in November.... [changes thought]. When I returned, all the debts had already been paid. Then in March—after I arrived I took vacation time and returned to work in January—I arrived at..(supplying queried words, rewording)

page 21, column two, second paragraph, second sentence, Cubavision version reads: ...[Ruiz Poo] No, upon his return he learned that his yacht had been retained, because he was not in the yacht. He then went...(supplying queried word, rewording

page 21, column two, sixth paragraph , second sentence, Cubavision version reads: ... ["Joel" Estevez Soto]. In fact, he told me to support Joel, and we analyzed a drop operation 20 miles...(supplying indistinct word, rewording)

page 21, column two, last paragraph, only sentence, Cubavision version reads: ...[Escalona, interrupting] The cover was the purchase of fighting cocks? (clearing queried word, supplying additional wording)

page 22, column one, paragraph three, line two, Cubavision version reads: ...Padron told me.... [changes thought] Ah! One moment: This is very important. I learned that.... [changes thought] One day while I was at Amado Padron's house, a phone call...(supplying queried word, rewording)

page 22, column one, paragraph four, first sentence, Cubavision version reads: ...with a plane. You may come with me if you wish. In my illusion...(supplying additional wording)

page 22, column one, last paragraph, sentence nine, Cubavision version reads: ...had broken down while picking up [word indistinct]. I acompanied him. (rewording)

page 22, column two, first paragraph, sentence four, Cubavision version reads: ...in the house, $100,000 from that package, a huge box. Tony de la...(supplying indistinct words, rewording)

page 22, column two, fourth paragraph, sentence three, Cubavision version reads: ...a phase of utmost [voice breaks] corruption. It is what...(supplying indistinct word, rewording)

page 22, column two, fourth paragraph, sentence five, Cubavision version reads: ...first day...[sobs] is tell all that I know. [new paragraph] [Escalona] The accused-...(supplying indistinct words)

page 22, column two, penultimate paragraph, second sentence Cubavision version reads: ...police, and we changed it—thus the difference that may exist in my own account, although I imagine that it won't be too much. I changed the allowances, and Amado Padron...(clearing queried words, rewording)

page 22, column two, penultimate paragraph, last sentence, Cubavision version reads: ...this shows a higher level of corruption. [new paragraph] [Escalona] You are...(clearing queried words)

page 23, column one, first paragraph, first sentence, Cubavision version reads: ...[Ruiz Poo] Yes. Instead of having the economic police change the allowances [words indistinct], we changed part...(supplying queried words, rewording)

page 23, column one, penultimate paragraph, third sentence, Cubavision version reads: ...Amado Padron's office. In fact I met Martinez when he was...(supplying words indistinct, rewording)

page 23, column one, penultimate paragraph, sentence five, Cubavision version reads: ...meeting with Martinez—excuse me—he was at...(supplying words indistinct)

page 23, column one, penultimate paragraph, sentence seven to end of paragraph, Cubavision version reads: ...sent the pullovers. Meanwhile, confusing situations arose; one day I met Martinez on the sidewalk and I told him—others were also looking for him to tell him this—not to see a certain Colombian who was in Cuba, because that Colombian could say certain things or detect technical sources; I do not know. So I told Martinez not to see this Colombian. (supplying indistinct words, rewording)

page 23, column one, last paragraph, sentence two, Cubavision version reads: ...replied: Why? I told him it was in...(clearing queried words)

page 23, column two, first paragraph, line two, Cubavision version reads: ...such a thing. But he did say it. [breaths agitatedly] [new paragraph] Those...(clearing queried words)

page 23, column two, antepenultimate paragraph, second sentence, Cubavision version reads: ...to breathe agitatedly] Come on, come on. [background noises, unintelligible voices; Ruiz Poo seen escorted out of the hall supported by two unidentified officials; then Ruiz Poo is seen walking back into the hall alone] [new paragraph] [Escalona] Does the accused feel better? (changing speaker designation, editorial notation)

page 24, column one, line two, Cubavision version reads: ...the very beginning of my dealings with the instructor. For...(supplying indistinct words)

page 24, column one, from line seven, Cubavision version reads: ...will tell you. [new paragraph] [Escalona] May I ask you? [new paragraph] [Ruiz poo] No,...(supplying indistinct words)

page 24, column two, fourth paragraph from bottom, third sentence, Cubavision version reads: ...I want to, yes, answer any questions. [new paragraph] [Escalona] I have...(supplying indistinct words)

page 25, column one, fifth paragraph from bottom, fourth sentence from end, Cubavision version reads: ...all a lie. We were all aware that it was not at the highest level or anything like that. It was simply a lie, an attempt, amid our political cowardice, to justify ourselves. Were these your...(supplying indistinct passage)

page 25, column two, fifth paragraph, first sentence, Cubavision version reads: ...before the tribunal. [new paragraph] [Escalona] The accused Diaz...(identifying speaker)

page 25, column two, fifth paragraph, last sentence Cubavision version reads: ...told him that. [new paragraph] [Escalona] You never told him that? [new paragraph] [Diaz Izquierdo] Never. (rewording)

page 26, column one, paragraph six, first sentence, Cubavision version reads: ... de la Guardia Font, stand before the tribunal. Accused Antonia de la Guardia Font you will answer...(clearing queried name)

page 26, column two, first paragraph, last sentence, Cubavision version reads: ...not been authorized. [new paragraph] [Escalona] It was not authorized. Thank you, Mr...(supplying words indistinct, changing speaker designation)

page 26, column two, fifth paragraph, sentence two, Cubavision version reads: ...companeros of Villa Marista, who were interrogating...(clearing queried name)

page 27, column one, line ten, Cubavision version reads: ...if I did. [new paragraph] [Escalona] Could we... [changes thought] Do you feel all right? (supplying additional wording, changing speaker designation)

page 28, column one, fourth paragraph from bottom, second sentence, Cubavision version reads: ...belonged to the Jewish trader, the one...(supplying additional word)

page 28, column two, second paragraph, third sentence, Cubavision version reads: ...responsible for the operation. I took the merchant to Angola and began the operations involving the airplanes. [new paragraph] [Escalona] Comrade President...(supplying indistinct words, rewording)

page 28, column two, third paragraph, sentence one, Cubavision version reads: ...Gen Colome Ibarra under the pretext—in my opinion—of discussing various issues, among them the affair involving...(supplying indistinct words, rewording)

page 28, column two, sixth paragraph, sentence one, Cubavision version reads: ...Abelardo Colome Ibarra sent for you? Do you remember...(supplying indistinct words)

page 28, column two, sixth paragraph, last sentence, Cubavision version reads: ...Do you remember the conversation, the questions that Colome asked you? What did those...(clearing queried words, rewording)

page 29, column two, second paragraph, sentence four, Cubavision version reads: ...tried to struggle, to surrender, so that this...(supplying indistinct words)

Salinas' Colombia Visit Ends; Accords Signed

PA1307011989 Mexico City Red Nacional 13 Imevision Television in Spanish 1300 GMT 12 Jul 89

[Report by Javier Solorzano and Raul Rodriguez from Bogota—recorded]

[Text] President Carlos Salinas de Gortari concluded a visit to Colombia which lasted a little over 24 hours. The president participated in many activities there, and the Colombian press published many reports on the visit.

While touring the streets of Bogota, President Salinas de Gortari greeted the Colombians and his greetings were enthusiastically returned. The president also met with the country's intellectuals, who said it was a meeting of minds for reflection. There is great admiration and love for Mexico in Colombia, and it is evident in the contacts between the two nations. This was the prevailing atmosphere during the president's luncheon with intellectuals. The luncheon was one of the most interesting points of his visit, aside from meetings with President Virgilio Barco. At the end of the visit, the two presidents signed a nine-point agreement, and a declaration on the historic visit, given the current status of Mexican-Colombian relations.

Mexico wants to change its image abroad, particularly in Latin America. Mexico wants to integrate itself with realism, without rhetoric, and is internally modernizing itself in every sector. Within this process, the central point of its political evolution is its abidance by the law, respect for the voters' will, and acceptance of free election results. All of this was stated by the Mexican president during talks with foreign reporters in Bogota, where he was asked what the common denominator was of his first state visits to Latin American countries, meaning Venezuela and Colombia, which concluded this evening.

President Salinas de Gortari ended a busy, but productive state visit to Bogota. He and Virgilio Barco signed 10 specific agreements, including a plan to increase their bilateral cooperation and economic activities, technical and scientific cooperation in the energy and mining sectors, exchange and cooperation in the coal sector, cooperation in the prevention and control of drug abuse and trafficking, and technological and cultural cooperation.

Today's activities included a lengthy meeting between the two presidents at Narino Palace. It was a friendly meeting during which the two reasserted that progressive and balanced cooperation is one of the loftier goals in the region, given Latin America's acute problems. Both presidents also condemned terrorism; and confirmed that political solutions, accompanied by an intensive development program, represent the optimum solution for Central America.

PAN Wins Baja California Governorship

PA1107145689 Mexico City Red Nacional 13 Imevision Television in Spanish 1305 GMT 11 Jul 89

[Text] The State Electoral Commissions [CEE] of Baja California and Michoacan announced results of the 2 July elections. It was confirmed that PAN [National Action Party] candidate Ernesto Ruffo won the governorship of Baja California. In the local deputies election in the 15 electoral districts in Baja California, 13 have been counted, resulting in 7 seats for PAN and 6 for the Institutional Revolutionary Party [PRI]. The two districts still to be counted are the Second and Third Districts in Mexicali.

The CEE in Michoacan reported that 16 of the 18 districts there have been counted. The PRI won in 10 districts and the Democratic Revolutionary Party won in the 6 remaining districts. The two districts yet to be counted are the 13th in (Chichipan) and the 14th in Los Reyes.

It should be noted that the elections in Baja California and Michoacan have been the most hotly contested in the country. It should also be noted that no party obtained a majority in the state legislative bodies in either of these regions. There will be a need for negotiations and coordination to carry out any major government programs in these areas.

The 2 July elections ended the era when election results were overwhelming and absolute victories. Today, the diversity of political parties is a challenge that must be met responsibly and efficiently. The elections in Michoacan and Baja California have made it apparent that this is an era of political pluralism, perfected democracy, and a time for coordination and negotiation in the country. As of today, all parties will have to make alliances in the new national political arena.

Election Impact Noted

PA1207174489 Mexico City THE NEWS in English 8 Jul 89 p 2

[Text] The Institutional Revolutionary Party (PRI), Mexico's ruling political group since its founding by President Plutarco Elias Calles 60 years ago, claims to be experiencing a significant moment in history.

Rafael Rodriguez Barrera, general secretary of the PRI's National Executive Committee, announced Friday in Durango that his party "continuously renews itself because life in Mexico is characterized by constant changes."

In a separate but closely related development in Mexico City, Tourism Secretary Carlos Hank Gonzalez affirmed Friday that the PRI is not being splintered from within. He added that the National Action Party's (PAN) triumph in Baja California "is painful for PRI militants but challenging and a source of new strength, as it will

improve the democratic process in Mexico, as well as the people's confidence in President Carlos Salinas de Gortari who has pledged to respect the decision of the voters."

Despite recent rumors of a weakening in the official party's foundations and the internal creation of opposing factions as a result of the PAN's virtual triumph in the Baja California gubernatorial election, Rodriguez Barrera added, "the PRI is going through a revitalizing process because its structures must adapt to new circumstances and the solutions that are needed for a national transformation."

The PRI, he said, "has decided to be on the forefront of renovation and to carry through with significant changes."

Hank Gonzalez reiterated that the official party is not fractured "as both the older and younger PRI militants are aware that the winds of change are blowing all over the world. Our country could be no different, and it is wiser to adapt to changing situations."

Meanwhile, back in Durango, Rodriguez Barrera said the opposition parties' triumph will be acknowledged by the PRI if it is legitimate, "but we should not be asked to negotiate with the opposition nor should we give them victories they have not won through the vote of the people."

Rodriguez Barrera emphasized that the PRI does not concentrate its forces in one place or another in a determined historical moment, because "our party is a national party and has permanent presence in each and every one of the nation's electoral events."

Elsewhere, Sen Nicolas Reynes Berezaluce, secretary of the Senate's Grand Commission, asserted there is unity within the PRI and that there is no confrontation between the PRI in Baja California and its national executive committee.

Government To Receive 2 Billion Dollar Loan

OW0607084889 Tokyo KYODO in English 0821 GMT 6 Jul 89

[Text] Tokyo, July 6 KYODO—The Export-Import Bank [Ex-Im Bank] of Japan will extend about 2 billion dollars in loans to Mexico following an agreement between the Japanese-U.S.-European banking syndicate and the Mexican Government on a uniform reduction of about 35 percent in the debts Mexico owes them, bank sources said Thursday.

The latest agreement, coming after three months of negotiations, is the first application of a new debt relief plan proposed by U.S. Treasury Secretary Nicholas Brady last March, encouraging private banks to erase some Third World debts.

The new credit is part of 4.5 billion dollars in loans committed by the Japanese Ex-Im Bank at the interim committee session in Washington last April of the International Monetary Fund (IMF), the sources said.

The government-financed bank will implement the loan program in close cooperation with the IMF and the World Bank, the sources said.

They also said that the Ex-Im Bank will study the possibility of extending similar syndicated loans with international bodies like the IMF to such debtor nations as Venezuela, Costa Rica and the Philippines.

Bank President Takashi Tanaka told a press conference that he would extend some 600 million dollars in loans to the Philippines to enable further structural adjustment efforts.

In negotiations with the Mexican Government, started early last April, the consortium of Japanese, U.S. and European private banks has sought to minimize the ratio of debt write-offs.

Mexico's outstanding debts amount to about 100 billion yen, of which about 70 billion yen is owed to private banks. Of this sum, U.S. banks account for 35 percent, and Japanese banks slightly over 17 percent.

New Radio, Television Stations Planned

PA1207222289 Mexico City THE NEWS in English 8 Jul 89 p 39

[Text] Under a planned revamping of the Federal Radio and Television Law, the Salinas administration plans to install 250 new radio and 150 new television stations in Mexico, said Andres Caso Lombardo, secretary of Communication and Transportation (SCT) recently. Caso Lombardo said radio broadcasting occupies a prominent place in the program to modernize telecommunications. He said they will soon establish new, simplified regulations that will reduce requirements and procedures needed to start a radio station. Officials gave no details, but did say that the SCT will continue to authorize the use of frequencies through concessions and licenses. There are currently 1,009 radio stations covering 90 percent of the national territory, and 551 television stations covering 70 percent of the country. Caso Lombardo said the coverage is not enough.

* Pardoned Prisoner Cites Assurance by Camacho

32480168 Mexico City EXCELSIOR in Spanish 25 May 89 pp 4-A, 31-A, 32-A

[Text] He claims to be a working man in solidarity with other poor people like himself; he denies being an invader, squatter, or rebel, much less a criminal. After over 8 years in jail (which he ultimately left as the first person to be amnestied in Mexico City), Francisco de la Cruz, leader of the "2 October Camp" since age 32 (he is now 64), declares with conviction:

"Now more than ever, the Mexican political system is called upon to serve the poor," adding that throughout his experience as a leader of colonia [urban community] residents he has observed, "in the flesh," that the laws "are in the service of the bourgeoisie." He maintains: "My crime was fighting the rich for a plot of land." De la Cruz, who studied law because the residents of the "2 October Camp" community paid for his courses, supporting him and his family, claims not to have been superseded as a leader despite his long stay in jail. He adds that during his entire time in jail he kept in touch with his followers, often through cassette tapes on which he sent heartfelt messages, and notes that, for the first time, the system is recognizing his leadership.

He mentions his conversation with the interior secretary Fernando Gutierrez Barrios who instilled confidence in him with his remarks. De la Cruz thinks that there may be a surprise within the next few days in that political prisoners not covered by the amnesty, including his sons Francisco and Fernando, may procure their release.

He also comments on his meeting with Manuel Camacho Solis, chief of the Federal District Department.

He claims that the mayor has evoked his confidence because, owing to his youth, "he doesn't have an old man's craftiness yet," and indicates that something firmer can be expected of Camacho Solis because "he told me that what can be resolved legally will be, and what cannot will be solved politically."

The amnestied man claims that he had never before heard such a statement from an official but that, in any event, "we shall see whether the promises become a reality."

Regarding his meeting with the Iztacalco delegate, Jose Castelazo, he reports that the official proposed to him that "the easy things be settled first, leaving the difficult ones for later," but that he himself was very clear in his response: "No, sir, either we deal with the whole package or we don't deal with anything."

With a sharp expression, like that of a feline, there is in Francisco de la Cruz simplicity and a still restless spirit because he says that when the problems of the "2 October Camp" are solved he will proceed to politicize the peasants.

Maneuvers of the Rich

The "2 October Camp" does, indeed, have a history:

Its residents have had to suffer years of evictions, fires, and persecution from the authorities since 1962 when the government ordered the expropriation of an area of 3,772,052 square meters on behalf of low-income families.

But the land became very attractive to political leaders and businessmen who were seeking to expand their space, and to the colonia residents themselves, who were seeing more poor families arriving as Mexico City grew.

De la Cruz describes these events in his own way:

"When the expropriation came, we knew that we who had inhabited the land for years were the ones benefited. We, the majority of us failures, squatters, and wretches, were the ones who were paying 20 pesos for renting a plot of land and huts that were our only possessions."

He claims that the camp's residents arrived at the Iztacalco land in 1958.

"After that I began playing the role of a leader, faced with the pressure from the landholders who were even opposed to our greeting their families because they saw us as a threat and often ordered us to be beaten."

He looks up and, gazing around, recalls:

"Everything was vacant here, there were only cornfields, and we built our huts in the corners."

He says that, with the expropriation decree, the landholders began bringing in people to take over the land again. "But we turned those people around and they joined us in the struggle. Then we began to work."

He speaks with a certain amount of candor—nothing about him indicates a man who has just come out ready to take revenge for an insult. It might even be said that he speaks enthusiastically about his past life.

For the present, jail has not made him an embittered man because he claims to have spent those years "very peacefully," first engaged in raising a garden in the northern prison where he planted fruits and vegetables and also growing aromatic plants.

That place was so green and luxuriant that, when Caro Quintero arrived, "he paid 1 billion pesos to the prison director and they moved me to Santa Martha Acatitla so that I wouldn't say anything."

Nevertheless, De la Cruz then engaged in making ceiba wood plaques of religious and commemorative subjects which his family sold in a gift shop that they run from their residence in Iztacalco. This is where the "2 October Camp" was established for the first time.

The most vivid recollection for him was when the colonia residents sent him to school to become a lawyer and defend them.

He Studied and Became a Lawyer

"I don't know what they saw in me, or whether it was that all of them together wanted to have a son and send him to school. But they told me: 'You are going to attend school and become a lawyer, and then you will help us defend the land.'

"At that time I couldn't read or write but, anyway, at the age of 46 I became a lawyer."

With his knowledge of the laws Francisco de la Cruz obtained an amparo from the Associated Court of the First Circuit for Administrative Proceedings, bearing Number 270-73, against acts by the authorities, which was granted to them because they had been in possession of the land for over 15 years.

Despite this amparo, however, the residents of the "2 October Camp" continued to be harassed, threatened, beaten, and jailed.

Because of the pressure from the authorities, who refused to recognize the amparo, the colonia residents radicalized their struggle and obtained the backing of student groups, independent trade unions, and other associations of suburban settlers, becoming a "headache" for the established authorities.

In fact, the "2 October Camp" came into existence with that title in early 1975, upon the resumption of this struggle, and was established by members of the Union of Santa Cruz Iztacalco and Iztapalapa Expropriated Zone Residents, Inc., who set themselves up in a permanent assembly to demand the legal adjudication of the land for which they were willing to pay a fair price.

Their struggle was partially fruitless because there were families that did succeed in regularizing their land.

De la Cruz explains it thusly: "On 10 March 1975 we numbered 800 families inhabiting the 372 hectares because the police had already driven away many others.

"The police were evicting us, intending to throw us over there in Ejercito de Oriente, Ermita Iztapalapa, and Vicente Guerrero, to vacate the area, but some came back and resettled.

"I insisted that they should return, and not let themselves be intimidated, saying that we would all be in the same boat here, but we would have the land. I don't know how much good it will do, but let's fight to the end, I told them. So, they came and, within a few days, we numbered 5,000 (he corrects himself), 6,000 families, and the granaderos [a Federal District General Secretariat for Safety and Roadways police unit responsible for control of crowds and demonstrations] returned and arrested us. Those who couldn't stand the beatings left, but they returned later. Others arrived, until we numbered 5,500 families here."

Don Pancho made these comments like one telling folk tales, without much emotion, with some humor, and without changing his tone of voice.

For example, he recalls the fire at the "2 October Camp," where there were about 3,500 families living in huts, on which occasion three children were killed by the flames.

"The fire razed nearly all the huts, devouring all our belongings, but we are sure that it wasn't an accident, but was caused by the government.

"It occurred at night while we were all asleep, and within a few minutes the place became an inferno. No one can convince us that this fire was not set." And with this, his voice does rise.

Taped Messages of Encouragement

Camp residents related that, on that night, they were awakened by a loud sound. "It was like an explosion, a bomb. When we went out to look we saw something like a mushroom cloud coming out of the huts, first from where Pancho de la Cruz, our leader, lived."

And what a leader he is for them!

They waited for him the entire time that he was in jail. They didn't lift a finger or even hold an uprising to procure his release. They confined themselves to keeping in touch with their leader's lawyers to find out when he would be released.

But while this was happening they listened to the tapes that De la Cruz was sending them, containing messages of encouragement, so that they would not consider themselves defeated.

The problem continues, especially over land allegedly belonging to the "Grupo Acir" but located within the demarcation protected by the amparo numbered 270-73, which therefore belongs to the residents of the "2 October Camp."

A permanent watch is being kept there by families who have built huts and waited for Pancho de la Cruz, so that this ownership problem may be solved.

These colonia residents commented: "We still have about 3,000 families left to be accommodated. We are not opportunists nor squatters, but are only guarding what belongs to us."

Pancho de la Cruz remarks, without becoming upset: "Can you imagine our having confidence in Mexican law again, when they haven't recognized our amparo?"

He adds that he went to jail because "I committed the crime of fighting against large landholders for land."

He claims to be innocent of all the charges brought against him, which kept him in prison for over 8 years: three frauds, six robberies, nine lootings, two gang injuries to third parties, and one rape.

In all, there was a combination of 20 charges brought against him, which have been aired one by one; but the intention, he claims, "was to keep me in jail, so that I wouldn't go around here inciting uprisings."

Now, however, he adds, for the first time "the authorities are recognizing my leadership."

He seems to feel gratified by this, particularly because he observes that, after over 8 years in confinement, nothing has changed for him.

"I am returning as if I had only been in retirement, because as soon as I arrived everything went on as it had before. We have the usual meetings again (which had ended during his absence), the groups of residents are coming again to state their problems, and I think that they still need me."

His view of the world is also still the same, because he considers PRI [Institutional Revolutionary Party] the only political force, putting it thusly:

"If they gave me the opportunity, I could serve the organized system, and the people, achieving their welfare, and then poor people would vote properly again, and the real democracy that is being sought would be exercised once more."

But he warns: "If we remain the same, and the laws continue to be for the rich, then I believe that a revolution is imminent."

He Claims Not To Be a Criminal

We asked him: "Do you trust that this regime will make the necessary changes to enable the poor to improve their situation?"

"If there is just talk about modernization and political spaces are not opened, then the situation will remain the same, with us being deceived again. But it's very difficult to deceive people at this stage—you have noticed it. There are eruptions on all sides, not just in Mexico, but all over the world."

And he adds:

"We shouldn't call the people martyrs any longer, but supermartyrs: they are supporting prisons, the press, radio, television, soldiers, and police, and they are still paying the debt of the rich, because it's very large."

And with that last comment one does sense some rancor in him; he frowns and presses his hands together.

He claims that a person can sometimes be very innocent, recalling, here with some bitterness, that he still remains in jail on weekends, calling it "the official house."

He arrives at the jail at 0800 hours on Saturday and returns home at 1750 hours on Sunday. He will have to complete a total of 5 weeks of this, and then another 5 weeks of signing in at the district prison. After that, he will have to sign in at the social crime prevention station every month.

"I don't understand such things in a country where there is talk about democracy and liberties, and where it is said that you are entitled to a job, although there is none. The people are tired of this situation, and the dissatisfaction will grow."

In his opinion, "the major problem is that the people are not spoken to clearly, but are constantly lied to."

His features are definitely Indian, his tone of voice deliberate, his expression very sharp, and he is a man of few manners but of firm decision, so he says.

And it is in this vein that he claims to have rejected the pardon offered him by the authorities, "because pardon is the forgiving of a criminal, and I'm no criminal."

A few days after having left prison Francisco de la Cruz feels like a man with sufficient strength to continue leading the residents of the "2 October Camp," until their problems relating to land ownership are solved.

He expects to have cooperation, as he has been promised, from officials.

From Gutierrez Barrios he expects the release of his sons, Fernando and Francisco, who are in prison for having stood in front of the Greek Embassy when the latter was occupied in order to charge human rights violations.

From Camacho Solis, he expects to receive recognition from the capital authorities for the amparo granted to these colonia residents in 1973, and to have all the issues associated with land ownership dealt with "legally and politically, as he promised."

From the Iztacalco delegate, Castelazo, he expects the attention given to the colonia residents' problems to be total, without shirking any procedure, and always going through legal channels.

He claims that he is still leading this struggle, "not for fame or money, but out of conviction, for an ideal: I was born a failure, and I began living among failures. I saw that there was land that we could gain with our right to ownership. So that kept me peaceful in jail, because I knew that they wouldn't finish or harm me there, and that my toughness was here. The battle is here, and we'll continue waging it."

Costa Rica

Nicaragua's Ortega Arrives 'Secretly' 13 Jul

PA1407135889 San Jose Radio Reloj in Spanish 1336 GMT 14 Jul 89

[Text] A number of security measures have been taken over the past few hours in view of the arrival of Sandinist leader Daniel Ortega Saavedra. Since last night, access to the Presidential Palace has been restricted. Security measures will be reinforced throughout the day around the Government Palace, which is where all of the Nicaraguan president's activities will be carried out. Unidentified sources confirmed that Ortega arrived secretly in Costa Rica on the afternoon of 13 July on board a private plane, which landed at the Tobias Bolanos Airport.

Ortega, Arias Hold Joint News Conference

PA1507025889 San Jose Radio Reloj in Spanish 2321 GMT 14 Jul 89

[Joint news conference with Nicaraguan President Daniel Ortega and President Oscar Arias Sanchez at the presidential house in San Jose, Costa Rica—live]

[Text] [Ortega] [Words indistinct] the Nicaraguan people and, in particular, to thank [19-second interruption by station announcer providing background information on news conference] an impact within the context of world politics, and just as we can contribute to peace we can also hinder the peace process.

In a world that is demanding greater and better efforts toward peace, President Arias' peace efforts are praiseworthy, which is something we acknowledge. It is precisely for this reason that we are here. We want to exchange points of view with him on the implementation of the peace plan that he himself presented to the Central American presidents approximately 2 years ago. The peace plan will be 2 years old in August. It was welcomed and approved by the Central American presidents, and we have been complying with it through a process that is quite complex and difficult. However, the Central American presidents' political will to comply with it has prevailed.

We talked at length about the meeting that will be held shortly in Honduras, at which an important point for discussion will be the demobilization of the counterrevolutionary forces. We think that this demobilization can be accomplished if the Central American presidents want it to happen.

We also discussed all the efforts Nicaragua has been making to bring about all the necessary conditions to guarantee the holding of a fair electoral process that will leave no room for doubt among the Nicaraguan people. They are the ones most keenly interested in making certain that these elections will be held in an honest and open manner. We experienced a very difficult electoral process in 1984. It was a good experience, however, because, for the first time in Nicaragua's history, seven political parties participated in an election. Never before had so many parties participated in an election in our country.

We are now preparing for an election that will be held in February 1990. Elections will be held in February 1990, and approximately 22 political parties will participate. In other words, we have a proliferation of parties, or a surge of political forces in our country, which highlights the pluralistic and democratic nature of the Nicaraguan revolution and confirms the existence of a multiparty system under the Nicaraguan revolution.

(?The people insist on forming) more parties than in the past. Never before in our 158-year history—since Nicaragua's independence from Spain—have we had so many political parties. In less than 10 years of revolution, Nicaragua has 22 legally registered parties. In other words, this is a true explosion of multipartisanship covering the full political-ideological spectrum—from the extreme left to the extreme right. We have full freedom of speech under which all positions can be clearly expressed and we also have broad freedom of movement.

In Nicaragua, we have been consistently working to create all those conditions that will guarantee the electoral process. We have asked that no one interfere in this electoral process; we have asked that those forces bent on hindering the electoral process refrain from doing so. All we ask is that there be no interference, that the Nicaraguans be allowed to work within the framework of the Central American and Latin American communities so Nicaragua's electoral process can succeed.

I met recently with Venezuelan President Carlos Andres Perez, who has also expressed special interest in contributing to the peace process in the Central American region. Now I have been talking with President Arias about the actions to be taken immediately, taking into consideration his opinions and his constructive proposals to strengthen this electoral process in Nicaragua. I have told President Oscar Arias I am going to open a dialogue with the parties confirming their political resolve to participate in the elections—with all the parties without exception. That is, I am willing to open a dialogue with the parties that will run independently—the small parties that will participate in the elections, there are already seven such parties, and the other parties that have formed an opposition bloc. I am willing to open a dialogue with them to continue strengthening the electoral process.

The dialogue's agenda will consist of proposals that will be sent to the Supreme Electoral Council to polish the electoral and media laws. In other words, they will be aimed at making certain adjustments, changes, and reforms in the electoral and media regulations. In this manner, and in agreement with the political parties that have the political resolve to participate in the electoral

process—parties interested in finding a peaceful solution to the problem in Nicaragua—we will take a decisive step toward removing all suspicions regarding the electoral process and stop those who are attempting to hinder the electoral process in Nicaragua and who are attempting to deny Nicaragua a peaceful solution, a right the Nicaraguan people have.

We cannot overlook the fact that amid the effort being made by the Nicaraguan people and government, our country continues to be a victim of the counterrevolutionary forces; our people continue to be attacked by the counterrevolutionary forces. Since the beginning of the year, the mercenary forces have carried out many attacks; to date, there have been more than 1,113 casualties; more than 1,113 people have been either killed, wounded, or are missing. All this is a result of attacks by counterrevolutionary forces with bases in Honduran territory.

The day before yesterday, a bus was attacked by counterrevolutionaries; four Nicaraguan citizens were brutally murdered. Nicaragua has been subjected to a reign of terror, which has made victims out of the Nicaraguan people.

I believe the moment has come to strengthen Nicaragua's national and international political positions, thus encouraging the peaceful solution of conflicts that negative U.S. policies have created in Nicaragua.

Nicaragua has set out to make the exchange of weapons for votes a reality. This is the challenge the counterrevolutionaries must face; it is the challenge the forces that shelter, finance, and support them must face. Weapons must be exchanged for votes.

The Sandinist government has established conditions of security and guarantees in Nicaragua so all Nicaraguans who wish to return and participate in the political process may do so without any restrictions.

Upon announcing my decision to hold a dialogue with all the parties willing to participate in the electoral process and the elections in February 1990, I must once again acknowledge the role Costa Rica, especially President Oscar Arias, have played and continue to play regarding the achievement of peace in Central America.

I must thank President Arias for this effort, which is not simply a matter of helping Daniel Ortega. When Daniel Ortega comes to Costa Rica, he represents the Nicaraguan people's higher interests, which are similar to the higher interests of the Central American and Latin American peoples. In other words, we are committed to peace regardless of our way of thinking or our ideology. The Central American presidents are committed to peace, and it is our duty to talk with one another so we can gradually eliminate the stumbling blocks that may emerge, thus allowing the peace plan we have pledged to honor to increasingly become a reality.

This is why I am in Costa Rica. Dialogue between people and leaders is essential; in today's world it has broken ideological barriers. We have looked on as U.S. leaders have spoken with Soviet leaders, as the two most antagonistic forces in the world have established a dialogue with one another. They have reached agreements and visited with one another: Gorbachev has visited the United States; Reagan has visited the USSR. In other words, a most brilliant political tool has been discovered, and I find it ridiculous to believe that nations like ours could close themselves and fail to make a serious effort to solve Central America's problems.

It is in this spirit that I came to Costa Rica, and I am very pleased with the meeting I held with President Arias. Once again, I greet the Costa Rican people.

[Moderator] Thank you, President Ortega. We will now hear a statement by the Costa Rican president.

[Arias] Good evening, friends and reporters. When I called President Ortega approximately 10 days ago to invite him to come to Costa Rica to exchange views prior to the Central American presidential summit to be held 5 - 7 August in Honduras, I never imagined—at that moment we were not able to agree on a date, because I was leaving for Buenos Aires to attend Argentine President Carlos Menem's inauguration—we would meet on 14 July.

It has been a beautiful coincidence that we were able to meet today, 14 July 1989, to talk about how we can help advance the peace process in our Central American region. It is a beautiful coincidence, because precisely 200 years ago, the heroic French people fought at the Bastille for liberty, equality, and fraternity. It is very gratifying to know that here today, 200 years later, we have been able to achieve something very specific that undoubtedly ennobles the effort that five presidents have been undertaking to achieve liberty, democracy, and peace in the Central American region.

President Ortega has announced he is going back to his country determined to hold talks with the opposition—the opposition represented within the so-called National Opposition Unity, UNO, and the other independent parties that also oppose the government he heads. If there is a way to honor the heroic action of the French people who 200 years ago endured the guillotine to achieve those ideals...[changes thought]. I believe the best way to honor that action that has inspired all humankind is by exchanging the guillotine for a dialogue. Since we signed the peace plan for Central America, we learned war leads to nothing, is not the solution to our problems, and will not solve the problems that have divided us for decades. We also learned a dialogue is an important instrument, perhaps the best inheritance given us by those who 200 years ago fought for liberty, equality, and fraternity and paid with their lives [4-second break in reception].

In Central America, we must sit down and talk; we must get over our fear of sitting around a negotiating table to talk. What President Ortega promised us today is to return to his country and to open a dialogue with the opposition. This is what we are all hoping for and applaud, and I see it as a very decisive and constructive step toward fulfillment of the Esquipulas II agreement. What we must do now is to work on opening a dialogue in El Salvador also. We cannot help regret the fact there are still people who feel they can achieve power through weapons, as if the lesson we learned from other regional conflicts has not been enough. In those areas, wars never solved the problems.

Therefore, friends and reporters, I feel the announcement made here this afternoon is a very encouraging announcement. It fills us with optimism and renews our trust and hope the peace plan we signed approximately 2 years ago is the only answer the Central American peoples have to achieve democracy, liberty, and peace.

[Moderator] Thank you very much, President Arias. For the next 10 minutes, we will have a question-and-answer period. We ask the reporters to use the microphones and identify themselves and the media they represent.

[Chavarria] Ana Lorena de Chavarria, news director for Channel Six Television. After 9 hours of waiting, we hope the presidents will answer all our questions. President Ortega, you invited President Arias to the commemoration of the 10th anniversary of the Sandinist revolution on 19 July. You also spoke about an ideological opening and pluralism in Nicaragua. Will the Nicaraguan counterrevolutionaries participate in this opening? Will you negotiate with them within the context of ideological pluralism?

[Ortega] President Arias is always welcome to visit our country. There are no restrictions in our country's opening. Some of the counterrevolutionary leaders, such as Alfredo Cesar and Agustin Fernando Aguero, have already joined the Nicaraguan political process and broken from the intransigent position of other sectors that favor war and continue to support the perpetration of crimes against the Nicaraguan people.

[Chavarria] President Arias, will you attend the commemoration of the 10th anniversary of the Sandinist revolution?

[Arias] I would like to go, but I have to think it over a little because this trip would entail dropping a few things from my agenda, and I had not made plans to leave the country on 19 July.

[Chavarria] Thank you, Mr President.

[Lizano] Luis Carlos Lizano of LA NACION. Commander Ortega, international news agencies have reported that you and Foreign Minister Miguel D'Escoto said the elections in Costa Rica are being financed by drug traffickers. Did you say this? Do you have confidence in the current electoral process in Costa Rica? Is there a rapprochement between the Bush administration and the Sandinist government?

[Ortega] With due respect to you reporters, the media always tends to distort information. Statements on Nicaragua have been attributed to Central American or Latin American leaders [words indistinct]. What I mean is this: I respect the political process that the Costa Rican people have been practicing. I think this is an underlying principle in the political process of all countries that should be respected. Regarding relations between the United States and Nicaragua, I favor a solution to the conflict that has evolved in the Central American region. I believe the United States can and should seriously contribute to the solution of this conflict. Nicaragua is willing to work out solutions in an effective manner, and I hope the United States is willing to work in an effective manner also.

We want to trust what U.S. Government leaders have said and particularly what President Bush himself has said many times—that he is interested in finding a peaceful solution to the Central American conflict. We want to believe that and are willing to work for it. Regarding drug trafficking, a number of Central American and Latin American countries are constantly being accused of this activity, but I am convinced that the Central American governments do not support and are not in any way accomplices to these activities. Quite the contrary, we, the Central American presidents, have expressed our willingness to fight drug trafficking in Central America. We discussed this subject at the San Salvador meeting on 14 February. We dealt with it even more thoroughly through our foreign ministers and deputy foreign ministers in subsequent meetings.

[Ricardo Arias] Ricardo Arias. Recently, Foreign Minister Rodrigo Madrigal Nieto said it was necessary to prevent the upcoming Nicaraguan elections from turning into a fraud perpetrated by the Sandinist regime. Do you think the promise that Commander Ortega made today is enough to allay your foreign minister's fears?

[Arias] Ricardo, I think President Ortega's offer to talk with the opposition is extremely important because it is up to the opposition to point out the main obstacles they think obstruct the election process that will conclude in February 1990 and that they think will prevent this process from truly reflecting the people's will through the ballot boxes.

As President Ortega has said here, he has one agenda, and it is evident the opposition parties and UNO will have its own agenda and the independent parties will have their own agenda. In my opinion, the issue here is the resolve to initiate this dialogue. So far, the dialogue has not taken place, and it is at the negotiating table where the discussion must take place to guarantee the

parties can participate in the electoral process, with the guarantees they need to ensure their participation will truly reflect the majority of the Nicaraguan's will in February 1990.

[Guzman] Jose Guzman of Channel 4. President Ortega, besides the commitment you announced this afternoon regarding adjustments to the electoral law, have you made any other commitment with President Arias regarding the upcoming presidential meeting and the upcoming elections in Nicaragua?

[Ortega] There will be adjustments to the electoral and media laws. As the points that are (?reviewed) are discussed, we will continue exchanging opinions to strengthen our [word indistinct] and, therefore, the conclusions of the meeting that will be held in Honduras.

The meeting will be held as we approach the 2d anniversary of the peace agreement we signed.

[Reporter] [Name indistinct] of Radio Impacto. Commander Ortega, you have spoken of adjusting and polishing the media and electoral laws. What type of specific adjustments will change your party's majority position at the Supreme Electoral Council [CSE]? Second, regarding the dialogue, since the Sandinist government has been in power, there have been dialogues with the entire opposition. Nevertheless, nothing concrete has ever been established—for example, dialogue with the church. Do you believe anything positive for the Nicaraguan people will result from this dialogue? Why did you finally decide here in Costa Rica to agree to this dialogue with the Nicaraguan opposition when that opposition has been asking for a dialogue for the past 2 years?

[Ortega] I have outlined the topics to be discussed, and they will also be made known when the dialogue takes place. There is an agenda for the dialogue. I must establish, however, that the CSE has been carefully formed. The CSE includes opposition representatives, [words indistinct], and representatives who identify with the revolution. In other words, our CSE is very well balanced, very representative of Nicaragua's political spectrum.

Regarding dialogue, there has been dialogue in Nicaragua, even with the Chamber [not further identified]. After we signed the peace agreement, we decided to talk with the contras. At first, the talks were indirect. I asked Cardinal Obando y Bravo to help me mediate with the contras, and they met in the Dominican Republic. However, the contras insisted the talks had to be held in Central America, so we transferred them to Central America, to Costa Rica and Guatemala. After that, the contras said the talks had to be held in Nicaragua, so we transferred the talks to Sapoa. Then they said the talks should be in Managua, so we held talks in Managua. Then they said they did not want to meet in Managua but abroad. Then they fled Nicaragua and decided not to continue talking in Nicaragua.

I have held many talks with the opposition parties. Some of these talks have been positive; not all of them have been negative. I even remember a dialogue we held in 1988 at which we signed an agreement with the opposition parties. In short, our (?efforts) have not been in vain; some progress has been made; and I believe that if under these circumstances, the opposition parties resolve to contribute seriously—not demagogically—but seriously and responsibly to strengthening the electoral process, we will find a way to strengthen Nicaragua's electoral process.

Why did I make this decision in Costa Rica? Because President Arias has been working actively in favor of peace in Central America, because (?we really do not want to do) what UNO has been doing in Costa Rica, in Washington—where they have met with State Deparment officials—and in Venezuela. I prefer to talk in a place where there is increasing rapprochement, where external factors favor a deepening of the (?electoral process) in Nicaragua [words indistinct]. I believe President Arias has played a very important role in this sense, as is President Carlos Andres Perez. I believe the international community, including the U.S. Government, will value and support this effort.

[Tefel] President Arias, I am (Alan Tefel), an independent Nicaraguan newsman. I have had the pleasure of covering you over the past few years in connection with the peace plan, and I would like to express to you again my personal appreciation.

You seem very optimistic today regarding the commitments made by Daniel Ortega. Basically, what I would like to know is whether Ortega brought any plan for discussion during his meeting with you and if it will be submitted to the upcoming Central American presidents summit. I want to know if your optimism stems from this. I would also like to know, President Arias, if you have made any recommendations to President Ortega in regard to relations with the United States, basically regarding the embargo, which has greatly harmed Nicaragua, especially the country's masses? Thank you.

[Arias] [Words indistinct] you and I see each other infrequently. If we saw each other more often you would not be surprised to find me optimistic, because I feel optimistic every day. How can one not be optimistic when one realizes what is happening in the world? How can one not be so when elections have been held in Poland and [words indistinct] to take foreign observers because they are truly free elections? How can one not be so when President Bush received a few days ago a piece of barbed wire from the iron curtain that symbolized the fact that, perhaps very soon, that iron curtain will be destroyed?

How could I not be optimistic when very important things are taking place in the world? That is why I am optimistic. That is why I look to the future with great optimism.

I have had an opportunity to discuss with President Ortega the upcoming meeting. I gave him my opinions, not recommendations or advice. I prefer to give opinions rather than to say what should be done as a piece of advice, as a suggestion. I prefer to limit myself to giving simple opinions. However, we exchanged views frankly about what we have to do in Central America to achieve democracy, freedom, and peace throughout the region, so that efforts will be made at the 5 - 7 August meeting to hasten the achievement of these objectives.

He did not give me anything specific, and I did not give him any advice because I am simply not the kind of person who [words indistinct] to others. As to whether he brought any special plan: no. According to the agenda of the upcoming meeting of presidents, we will obviously review many issues. Each president will raise problems plaguing his own country. I think we made great progress today with regard to Nicaragua's problems. We talked about the most important issues concerning Nicaragua—progress toward the democratization process [word indistinct] the electoral mechanisms that have to be put in place during the coming months and, moreover, the very worrisome issue of demobilization of the contras.

[(Sozs)] (Adrian Sozs) of REUTER news agency. If I may, I would like to ask two questions of President Ortega. I would like to know if there is any possibility you will meet with Secretary Aronson [Bernard Aronson, U.S. assistant secretary of state for inter-American affairs], who is also in Costa Rica. Second, thus far your position has been that you are prepared to engage in dialogue with the parties that register for the elections. I want to know if your position has changed and if, upon your return to Nicaragua, you will immediately begin a dialogue with the UNO [Nicaraguan Opposition Unity]?

[Ortega] First, Aronson has not agreed to any meeting, any encounter. Nevertheless, we are indeed always prepared to engage in dialogue with the U.S. Government. We have a line open for dialogue and we hope this line will develop at some point [words indistinct].

Regarding the dialogue with all opposition parties, we are [word indistinct] the parties that are willing to participate in the elections and express such readiness. Many parties have already clearly said that they want to participate in the elections. In addition, there are some UNO parties that have said they wanted to participate after their representatives returned from Costa Rica. (?They came here) to talk with President Arias, and we must view this as a positive development. This was on their return from Costa Rica. They visited Venezuela and Costa Rica and, upon their return to Managua, they announced their readiness to participate in the elections. Bearing in mind this willingness, I am going to begin a dialogue with all of those parties on the basis of the agenda that I have already pointed out and on an appropriate date, which I will announce.

Assembly Investigates Drug-Money Laundering

PA1407142589 San Jose LA NACION in Spanish 7 Jul 89 p 5-A

[By LA NACION staff writer Armando Mayorga]

[Text] The Assembly Commission investigating drug trafficking has confirmed Costa Rica is being used for money laundering. The commission discovered, among other things, that construction companies and financial enterprises are linked to drug deals, Social Christian Deputy Oscar Avila Sole reported yesterday.

This is also influencing the amount of U.S. currency in the country because, despite the big deficit in the balance of payments ($150 million—12.77 billion colons at the current exchange rate) "it is impossible for the Central Bank to have the quantity of foreign exchange it currently has," Avila Sole said.

Avila Sole announced that to prevent money laundering, the commission will recommend a law which will force customers to justify bank deposits exceeding $10,000, as is currently required in the United States. The proposed bill is still being drafted and will be incorporated into the new antinarcotics law in view of the difficulties in changing the Central Bank statutes, Avila Sole explained.

[National Liberation Party] Deputy Alberto Fait Lizano, who is also a member of the investigation commission, said the commission will also propose an investigation of the aid given to local political parties by foreigners.

Fait Lizano and Social Christian Party commission member Luis Fishman believe contributions by foreigners should be "prohibited." Although the Constitution prevents it, "this has never been complied with at all," and there is no penalty for this, Fishman said. He added that the proposed bill should serve to prevent political parties from receiving contributions through front men.

Avila Sole seemed confident that the report the commission will present on 15 July will be unanimously approved by the Assembly. He told LA NACION that the Judicial Investigation Agency is currently conducting investigations of "various" construction companies and financial enterprises involved in money-laundering operations.

Construction companies often sell properties at prices that have no relation to the real cost of the property. "They certainly lose money, but get the dollars laundered in the process," Avila Sole said.

With this method, he explained, money launderers incur losses of approximately 10 percent on each dollar. However, if they were to launder these dollars in cash, they would have to pay a 30-percent commission, according to the reports the commission has obtained.

Avila Sole characterized the meddling of drug traffickers in our country as "very serious" and noted that money laundering in the country began about 8 years ago. It has been "growing because, to a certain extent, drug traffickers have not been punished."

He believes most of the enterprises involved in drug deals are foreign companies, and some of them are registered in Panama, where laws are "very favorable" for attorneys to set up corporations that they sell later on, leaving no record of the true owners.

In addition to this system, he added, the traditional system has also been used: dollars illegally brought into the country are deposited in bank accounts and are then transferred to accounts abroad.

El Salvador

FMLN, Peace Committee Issue Joint Communique

PA1407203689 San Salvador Radio Cadena YSU in Spanish 1400 GMT 14 Jul 89

["Joint communique" issued by the Permanent Committee for a National Debate for Peace in El Salvador and the Farabundo Marti National Liberation Front, FMLN, in Panama City on 13 July]

[Text] The Permanent Committee for a National Debate for Peace in El Salvador and the FMLN [Farabundo Marti National Liberation Front] General Command inform the Salvadoran people and the international public that:

1. On 12 and 13 July, we conducted a working session in Panama City, during which the committee's political program for peace was delivered to and extensively discussed with the FMLN.

2. The FMLN told the members of the Permanent Committee for a National Debate for Peace that it is convinced that the Salvadoran Government lacks the political resolve to begin a true, politically negotiated process to end the civil war in El Salvador.

3. Both the FMLN and the Permanent Committee for a National Debate for Peace agree, however, on the need to make and increase efforts so that the people's aspirations for peace and social justice are realized.

4. The Permanent Committee for a National Debate for Peace in El Salvador and the FMLN thank the Panamanian Government for welcoming their request to hold this session in Panama, for its kindness, and for the facilities it provided for the meeting.

Panama City
13 July 1989
[Signed] Reverend Edgar Palacios, coordinator of the Permanent Committee for a National Debate for Peace in El Salvador
Commander Francisco Joel, FMLN General Command member

Army Seals Off Campus, Vows To Shoot Violators

PA1507202789 San Salvador Canal Seis Television in Spanish 0200 GMT 15 Jul 89

[Excerpts] The Salvadoran Armed Forces have banned entrance into the University of El Salvador campus and are threatening to fire on anyone who disobeys this order. This afternoon, the Army allowed neither vehicles nor students to enter the university campus. According to military officials, orders were given to shoot anyone who disobeyed by attempting to enter the university campus. The measure went into effect at 1730. The situation grew tense when private cars attempted to enter the campus grounds.

University officials met with the military. According to the Armed Forces High Command, since 23 December 1988, the military has not allowed weapons to be brought into or taken out of the university campus. The discussion on whether to allow the entrance of students and vehicles became heated. University General Manager Mario Alfredo Cabrera said that this measure is intended to shut down the university.

[Begin Cabrera recording] All of this falls under the general campaign of psychological aggression against the university to minimize its authority in light of its role as the government's and the nation's conscience, which officials—who are not leading the country along the correct path—do not like. We believe that this is the basic reason behind this and other measures. These measures include helicopters overflying the campus at very low altitudes and soldiers threatening to shoot to kill if the order is disobeyed. [end recording]

Since the military blockade went into effect, Salvadoran Air Force helicopters have been overflying the campus.

Honduras

Azcona on Withdrawal of Contras, Area Summit

PA1407231389 Panama City ACAN in Spanish 2102 GMT 14 Jul 89

[Text] Tegucigalpa, 14 Jul (ACAN-EFE)—Honduran President Jose Azcona told ACAN-EFE today that "at this point," the withdrawal of the contras from his country "is of more interest to Honduras than it is to Nicaragua."

Azcona said that he will attend the upcoming Central American presidential meeting scheduled to be held 5-7 August in Tela, Honduras, with a positive attitude, and he said that he "will sign any document that Nicaraguan President Daniel Ortega is also willing to sign."

"I will not be an exception at the meeting. I am going there with a positive attitude, but I want Nicaragua to do the same, because Nicaragua says one thing for foreign consumption and another domestically," the president added.

Azcona stressed that he only has a little over 6 months left as president of Honduras and that it would be very sad to see other leaders step down from power while "Ortega talks with new people and maintains the same positions for several more years."

Azcona said that "the time for decisions has come for Nicaragua," and that he does not believe Nicaragua will refuse to find a political solution to its internal conflict.

He added that the Sandinists "cannot tell me I do what the United States tells me to when they are the ones who are seeking an arrangement with Washington."

Azcona pointed out that many of the things Nicaragua says regarding its political situation are no longer valid, and he asked the following questions: "Will the Sandinists democratize? Will they accept the contras? Will they offer the refugees in Honduras guarantees? What is going to happen?"

Azcona also said that he welcomes the arrival of the United Nations forces or anyone who wants to come to Honduras to oversee "the contra situation."

The demobilization, repatriation, or relocation of the anti-Sandinist rebels agreed upon in El Salvador in February is one of the leading topics to be discussed at the upcoming Central American presidential summit.

Approximately 11,000 contras are in eastern Honduras. Azcona also met today with Bernard Aronson, U.S. assistant secretary of state for inter-American affairs, with whom he discussed Central America's political situation and the upcoming regional presidential summit.

Hours before his meeting with Aronson, Azcona told ACAN-EFE that there was no official agenda for the meeting with the American diplomat and that "we may also discuss the possibility of bilateral negotiations with Nicaragua."

"Honduras is not opposed to bilateral negotiations, but I would like the Central American presidents to play a leading role in resolving the region's situation," Azcona concluded.

Nicaragua

Ortega News Conference Before Trip to Costa Rica

PA1407180889 Managua Domestic Service in Spanish 1430 GMT 14 Jul 89

[News conference with President Daniel Ortega by unidentified "foreign reporters" at the Augusto Cesar Sandino International Airport on 13 July—recorded]

[Text] [Reporter] [Words indistinct] What does Nicaragua think about the [Central American presidents] summit?

[Ortega] President Cristiani must bear in mind that the Central American presidents signed an agreement on 14 February in El Salvador. That agreement must be complied with, and it calls for the counterrevolutionaries' demobilization. Now, if he has any complaints against Nicaragua, he can file charges. There are international organizations designed for this purpose, such as the International Court of Justice.

Normal channels must be used. This problem can also be discussed during a bilateral dialogue. The activities of the Salvadoran revolutionary movement can in no way be compared with the activities of the Nicaraguan counterrevolution. The Salvadoran revolutionaries are based in Salvadoran territory; the counterrevolutionaries, on the other hand, are based in Honduran territory, as I have said before.

[Reporter] Is this what you will discuss with Costa Rican President Arias?

[Ortega] I will discuss with President Arias the upcoming summit to be held on 10 August [date as heard] in Honduras. We are exerting efforts so that the situation in the region will not become more complex than it is already. When I was in Venezuela, I discussed with President Carlos Andres Perez not only the situation in Nicaragua, but the situations in El Salvador and Panama.

It is within this context that Comrade Sergio Ramirez [Nicaraguan vice president] traveled to Panama 2 days ago to meet with General Noriega [commander in chief of the Panama Defense Forces] in order to discuss the situation within a regional framework and what actions could be taken to find a solution. The United States right now is complicating the situation even more with its threats of intervening in the Central American region.

[Reporter] [Words indistinct]

[Ortega] This is an issue that is on the summit's agenda, because Costa Rica has not yet ratified the parliament. This issue does not depend on President Arias. He is willing to ratify it, but the Legislative Assembly has placed obstacles in the way of its ratification.

[Reporter] The National Opposition Unity [UNO] yesterday issued a declaration which states that UNO would participate in the elections, but that the government must agree to a dialogue at once. How do you feel about that?

[Ortega] I (?will only say) that we can hold talks with parties that have decided to participate in the elections in order to review some amendments to the media and election laws. We are willing to hold talks on this. As a party, the Sandinist National Liberation Front is interested in changing these regulations and would be ready to seriously discuss this issue with any party that is truly ready to participate and that registers to participate in the elections.

[Reporter] What are relations like between Nicaragua and Honduras?

[Ortega] We spoke with the Honduran ambassador, who will leave today or tomorrow for Honduras. I am sending a message to President Azcona confirming my attendance at the presidents' summit in that country. I also said that I hope that the problems between Honduras and Nicaragua will be resolved. Both sides must be willing to (?resolve) this problem.

[Reporter] Mr President, do you think that the current trip by Mr Bernard Aronson, U.S. assistant secretary of state for inter-American affairs, to Central America will have an impact on the results of the upcoming summit?

[Ortega] I hope that Mr Aronson's mission is a positive one. The United States is interested in peace in the region [words indistinct] peace in the region. I think that the United States has a great opportunity to contribute to the success of the summit and to reinforce the trend of reaching permanent and definitive peace in Central America. Thank you.

U. S. Intervention 'Threats' Discussed

PA1507015589 Managua BARRICADA in Spanish 14 Jul 89 p 5

[Text] In a meeting between Nicaraguan President Daniel Ortega and Venezuelan President Carlos Andres Perez, the two presidents discussed the Central American crisis and the problems of El Salvador, Panama, and Nicaragua, and expressed their hope that no acts of intervention of any type will take place. Afterward, Nicaraguan Vice President Sergio Ramirez went to Panama to meet with General Manuel Antonio Noriega.

Ramirez and Noriega discussed the threats of intervention in Panama and expressed their readiness to seek a solution to the conflict that is peaceful, free of interference, and without preconditions. They also discussed measures to be taken following the upcoming OAS pronouncement on Panama on 19 July.

National Assembly Extends Contra Amnesty Law

PA1507031589 Panama City ACAN in Spanish 2332 GMT 14 Jul 89

[Text] Managua, 14 Jul (ACAN-EFE)—The Nicaraguan National Assembly extended today the "contra" amnesty law until 19 July 1990 to encourage contra members to return to civilian life.

The law, which was enacted in January 1985 and extended for the next 3 years, was once again ratified by the Nicaraguan Assembly.

The new extension was approved just as the Sandinist Army has been reporting an increase in the number of attacks by the rebel group, which numbers 10,000 fighters, according to Colonel Roberto Calderon, military chief of the central region in Nicaragua.

Protected by this law, some anti-Sandinist leaders such as Alfredo Cesar, Azucena Ferrey, and Fernando Aguero, among others, returned to Nicaragua to participate in the election process, which will conclude next 25 February.

The exact number of Nicaraguan "contras" who have benefited from this law has not yet been determined.

Meanwhile, the Nicaraguan Assembly condemned today the decision of the U.S. Congress to grant $3.2 million to opposition parties to finance their election campaigns.

The legislative body pointed out that the aid, which would be distributed by the "National Endowment for Democracy" and the OAS, is an "open intervention" in the Nicaraguan election process.

Government leaders in Managua said the distribution of the aid would only be allowed if 50 percent of the money is given to the Supreme Electoral Council, which is in charge of supervising the 1990 elections.

State of Opposition Parties' Situation Discussed

PA1607021389 Hamburg DPA in Spanish 0042 GMT 16 Jul 89

[Text] Managua, 15 Jul (DPA)—A National Opposition Unity (UNO) group held a "secret meeting" today at a foundation run by the opposition National Conservative Party. At this private meeting they discussed Nicaraguan President Daniel Ortega's statements regarding national dialogue.

Opposition sources, who asked to remain anonymous, reported that some parties were not included in the meeting held at the Jose Dolores Estrada Foundation in Managua.

Ortega announced that he will call the political parties to a dialogue. He made this announcement yesterday after talks with his Costa Rican counterpart, Oscar Arias. At the meeting with Arias, he discussed several aspects of the Central American situation prior to the upcoming summit of regional leaders scheduled for August.

Ortega's announcement on the dialogue, details of which the government has not yet released, prompted various reactions today from UNO opposition leaders, as well as from those who are working to form a "center-democratic bloc."

In statements to DPA, Armando Zambrana, Democratic Party of National Confidence (PDC) general secretary, noted that Ortega's announcement calling for a dialogue

is a result of the Nicaraguan president's recent talks with Venezuelan President Carlos Andres Perez and Costa Rican President Oscar Arias.

"It is now felt that Ortega recognizes the opposition alliance," the PDC politician said in referring to UNO, which though operating has not been legally recognized by the organization that regulates parties in Nicaragua.

Bonifacio Miranda, Trotskyite Revolutionary Workers Party general secretary, expressed opinions against UNO. He said that the so-called UNO (which is made up of 12 political parties) "claims to be the real opposition and rejects the legitimacy of other political parties."

For the past 2 months the Central American Unionist Party (PUCA), the Independent Liberal Party for National Unity (PLIUN), and the Social Christian Party (PSC) have been holding talks behind closed doors to form a "center-democratic bloc" to counter UNO in the 25 February 1990 elections.

For his part, PSC leader Luis Vega Miranda said that adjustments to the electoral and media laws as well as the abolishment of the military service law during the election period should be discussed in the national dialogue.

Approached by the local media, Nicaraguan Socialist Party Legislator Domingo Sanchez stressed: "There is no sense in the opposition's asking for Constitutional amendments. It should only discuss electoral matters with the government."

Grenade Kills 1, Injures 40 in Managua

PA1607180489 Hamburg DPA in Spanish 1753 GMT 16 Jul 89

[Text] Managua, 16 Jul (DPA)—One person was killed and 40 others were injured by the explosion of a fragmentation grenade in a public place in the Ciudad Sandino neighborhood in Managua. The perpetrators of the terrorist act have not been identified.

The incident took place early this morning. The injured were taken to two Managua hospitals. Meanwhile, the police are investigating the incident in an attempt to establish a motive.

A report issued by the state radio station "La Voz de Nicaragua" said that Juan Antonio Murillo (48) was killed by shrapnel from the grenade. Several children were injured. At least 25 people were hospitalized, while the others were sent home after being treated.

Panama

Reportage on OAS Delegation's 3d Panama Mission

Delegation Arrives 13 Jul

PA1407144889 Panama City LA ESTRELLA DE PANAMA in Spanish 14 Jul 89 pp A-1, A-7

[Report by Lerna LLerena]

[Text] Panama City, REUTER—OAS Secretary General Joao Clemente Baena Soares and Ecuadoran Foreign Minister Diego Cordovez arrived in Panama on 13 July to try to mediate the Panamanian crisis.

Cordovez said that the OAS proposal for a negotiation between the government, the Panama Defense Forces (FDP), and the opposition "was agreed upon by all the parties involved."

Cordovez added: "The most important thing now is to agree on the practical details of the negotiation."

Soares, who refused to make statements, and Cordovez are the first members of the OAS special delegation to arrive in Panama. Guatemalan and Trinidadian and Tobagan Foreign Ministers Mario Palencia and Sahadeo Basdeo, respectively, will arrive in Panama today. The delegation will meet today as soon as the latter two arrive in Panama.

This is the third time that the OAS delegation has come to Panama. Its mandate ends on 19 July. During this visit, the OAS delegation will draft a report to be presented next week at the OAS consultative meeting in Washington.

At Panama's airport, Cordovez denied that one of the parties involved had disregarded the OAS proposal.

On 12 July, the COLINA [National Liberation Coalition], led by the ruling Democratic Revolutionary Party (PRD) and the Authentic Arnulfist Panamenist Party (PPAA), proposed the formation of a junta for national reconstruction, in which the opposition could also participate.

However, on 13 July, opposition leader Guillermo Endara described the government coalition proposal as "absolutely absurd."

During a news conference, Endara, former presidential candidate at the annulled 7 May elections, said: "That proposal is absolutely absurd. It mocks both the Panamanian people and the OAS."

Endara added: "That proposal does not take into account the changes that must be made within the FDP High Command, and it fails to recognize the people's will as expressed on 7 May. The proposal does not contain a single word about human rights or the closed media."

Meets With Government, Opposition

PA1507163789 Panama City LA ESTRELLA DE PANAMA in Spanish 15 Jul 89 pp 1, 6-A

[Report by Juan Carlos Duque, Emilio Sinclair, and James Aparicio]

[Text] The special OAS delegation yesterday held a number of meetings with Panamanian politicians to promote a dialogue to end Panama's political crisis.

Following their arrival on the evening of 13 July, OAS Secretary General Joao Baena Soares and Ecuadoran Foreign Minister Diego Cordovez contacted the government and the opposition.

They will be joined by Guatemalan Foreign Minister Carlos Palencia and Trinidadian and Tobagan Foreign Minister Sahadeo Basdeo, who should have arrived last night.

Baena Soares and Cordovez met with Guillermo Endara, former ADOC [Civic Democratic Opposition Alliance] presidential candidate. According to Ricardo Arias Calderon, former ADOC vice presidential candidate, ADOC "clearly reiterated that it agrees with the OAS delegation's suggestion that a tripartite dialogue without prior conditions should be held."

While the OAS delegation sought to encourage the parties to seek formulas for an agreement, the proposal by nine legally established political parties for a government of national reconstruction was studied yesterday. It has been reported that the proposal will be discussed on 17 July by the General State Council, formed by the president or minister in charge of the presidency—who chairs it—ministers, general directors of autonomous institutions, the commander in chief of the Panama Defense Forces [FDP], the comptroller general, the attorney general, and the Legislative Assembly and provincial council presidents.

Meanwhile, Panamanian Foreign Minister Jorge Ritter has not ruled out the possibility of holding a dialogue with the opposition. Ritter spoke to the press shortly after a cabinet meeting and said that various proposals "have been made and must be analyzed."

"The problem of the dialogue is getting the participants together; everyone talks about a dialogue; everyone calls for a dialogue—and then not everyone participates," Ritter said. He emphasized that "only monologues are being convened."

Ritter met with the OAS secretary general and the Ecuadoran foreign minister upon their arrival in Panama.

The OAS delegation has opened an office on the ninth floor of the Vallarino Building in the center of the capital, where it held meetings with representatives of several sectors.

"We believe that our proposal for a tripartite negotiation—including the government, the opposition, and the military—has been accepted," Diego Cordovez said. "The most important thing now is to agree on the details of the negotiation."

The OAS delegation will meet with General Manuel Noriega [FDP commander in chief]; former progovernment presidential candidate Carlos Duque; Manuel Solis Palma, minister in charge of the Presidency; and members of the ADOC slate of candidates.

Ricardo Arias Calderon said that he hopes that the dialogue will be held as soon as possible so that the country can find a solution to its problems through democratization.

Endara said that ADOC is willing to participate in a dialogue, adding that it is the other side that is not willing to negotiate.

The schedule of meetings for the third visit of the foreign ministers delegation was not disclosed. The delegation will present a report on the Panamanian situation in Washington on 19 July.

The proposal for a government of national reconstruction, which was formulated by the COLINA [National Liberation Coalition] parties and the Authentic Arnulfist Panamenist Party [PPAA], was discussed during yesterday's cabinet meeting. The proposal calls for a representative from the ADOC, the PPAA, and the COLINA to head the government of national reconstruction, beginning 1 September.

Announces Tripartite Meeting

PA1507185589 Panama City Circuito RPC Television in Spanish 1825 GMT 15 Jul 89

[Communique issued by the special OAS foreign ministers delegation in Panama City on 15 July]

[Text] On 14-15 July, preliminary meetings were held with the ADOC [Civic Democratic Opposition Alliance] slate of candidates; Manuel Solis Palma, the minister in charge of the Presidency; and the COLINA [National Liberation Coalition] presidential slate to further the objectives of the OAS delegation, which was assigned a mission by the 21st consultative meeting of the OAS foreign ministers.

During these meetings, the three sectors—the executive branch, which includes the Panama Defense Forces; the opposition bloc; and the progovernment parties—confirmed their agreement with the OAS delegation's proposal to participate with effective representation from their leaders in a tripartite dialogue, without a set agenda, without preconditions, and honoring the commitment not to exclude any topic.

Therefore, the three sectors were invited to begin to negotiate and to hold a dialogue at the OAS delegation's offices at 1500 on 16 July.

U.S. Interference Claimed

PA1607153089 Panama City CRITICA in Spanish 15 Jul 89 p 4

[Editorial: "The OAS Delegation"]

[Text] An OAS foreign ministers delegation has arrived in Panama again. The delegation has been getting in touch and talking with national political sectors, specifically with the Civic Democratic Opposition Alliance [ADOC], the National Liberation Coalition [COLINA], and presidential and Panama Defense Forces [FDP] representatives, to seek "a formula of understanding" between the sides in conflict and a solution to the problem of a democratic transfer of power on 1 September, when the current presidential term that began 5 years ago will expire.

We must make it clear that the United States is making every effort to take advantage of the foreign ministers delegation's visits in order to avoid complying with the treaties, which stipulate that the U.S. Armed Forces and personnel must leave Panama by the end of the century. These efforts run counter to the objectives of the OAS delegation, which, on 19 July, will present a report on its activities in our country. The Bush administration's objective encourages the ADOC to desperately demand a so-called "tripartite dialogue." The ADOC's absurd position goes against every serious attempt to reach an agreement during the OAS foreign ministers delegation's current and last round of talks.

ADOC spokesmen Guillermo Endara [former ADOC presidential candidate], Ricardo Arias Calderon, and Guillermo Ford [former ADOC first and second vice presidential candidates, respectively] have been echoing what the U.S. representative to the OAS, Luigi Enaudi, has been saying.

The true intention of this "retreat" that ADOC plans to hold with OAS Secretary General Joao Baena Soares, as well as Diego Cordovez, Mario Palencia, and Shadeo Basdeo—foreign ministers of Ecuador, Guatemala, and Trinidad and Tobago, respectively—is evident: The "formula of understanding" that is being sought involves noncompliance with the treaties and—to top it off—recognition of an alleged election victory demanded by the opposition, and a democratic transfer of power on 1 September. This is what ADOC advocates—no more, no less—without any attempt at concealment. As can be clearly seen, to accept these absurd demands is tantamount to surrender. As far as we know, only armies defeated at war surrender. However, this is not even remotely the situation in our country, despite the invading U.S. Army's aggression.

Panama hopes that Cordovez' common sense, good judgment, and diplomacy will prevail over the obtuse stubbornness of the Panamanian opposition, which wants to impose conditions for a dialogue that, should it occur, must be as broad as possible without trying to turn the OAS into an Electoral Tribunal, judge, or arbiter to resolve a situation that should be resolved solely by the Panamanian people, without any foreign interference.

Tripartite Dialogue Held

PA1707012289 Panama City Circuito RPC Radio in Spanish 2355 GMT 16 Jul 89

[Report by Omaira De Leon]

[Text] The OAS-sponsored meeting among the parties involved in the Panamanian conflict began at 1500 and ended a few minutes ago with the release of a communique which stated that the meeting was held in a frank atmosphere and that the participants thanked the OAS for the initiative. The meeting was convened by the OAS mission, which is now visiting Panama for the third time in an effort to find a solution to the country's crisis.

The first to arrive at the meeting were the representatives of the ADOC [Civic Democratic Opposition Alliance]—Guillermo Endara, Ricardo Arias Calderon, and Guillermo Ford—who were accompanied by leaders of several business organizations, such as the Industrialists Association, the National Council of Private Enterprise, and the Chamber of Commerce. Next to arrive were the representatives of the Panama Defense Forces, Colonel Julio Ow Young and Majors Luis Cordoba and Armando Palacios Gondola. Then the COLINA [National Liberation Coalition] representatives arrived—Carlos Duque, Ramon Sieiro, and Aquilino Boyd. The members of the OAS mediation mission were already at the meeting site. They are OAS Secretary General Joao Clemente Baena Soares, Ecuadoran Foreign Minister Diego Cordovez, Guatemalan Foreign Minister Mario Palencia, and Trinidadian and Tobagan Foreign Minister Sahadeo Basdeo.

[Panama City ACAN in Spanish at 0012 GMT on 17 July reports that in addition to the aforementioned participants, Romulo Escobar Bethancourt, former canal treaty negotiator, attended the meeting representing the government]

At the end of the meeting an OAS representative released the following press communique:

Aware of the Panamanian people's suffering, each of the participants at this first meeting, which was held in a frank atmosphere, expressed his position on all the topics that, in his view, should be addressed so as to find a solution to the Panamanian crisis. The participants thanked the OAS mission for its initiative and stated that they hope that the mission will maintain its cooperation during the process of negotiations.

[dated] 16 July 1989.

The participants then left the meeting. The representatives of COLINA and the Defense Forces did not speak to the press, having left through the back of the building.

However, the ADOC representatives left through the front. Former ADOC presidential candidate Guillermo Endara held an impromptu news conference. This is what he said:

[Begin recording] [Endara] [Words indistinct] within that frankness, each side expressed its viewpoint and position. The three sides very honestly expressed their views. That is really all that happened today. We will meet again tomorrow.

[Reporter] At what time?

[Endara] At 0800 [1300 GMT].

[Reporter] [Question indistinct]

[Endara] The Defense Forces were totally honest in expressing their views [words indistinct].

[Reporter] Did you discuss the possibility of a government junta?

[Endara] We think that everything is positive at this time, but we are just beginning [words indistinct]. We cannot make any long term predictions because there is really no basis for doing so. I think everything is going well and I feel positive and optimistic as always. Today all we did was honestly express our positions.

[Reporter] How do you describe the positions?

[Endara] Frank, there was a frank attitude. That was what prevailed throughout the entire meeting.

[Reporter] What were the topics?

[Endara] Each side expressed their viewpoints. You already know our positions. They are well known. We are not going to repeat them now. This is not the time to repeat them. Everyone knows perfectly well what our positions are. [end recording]

Those were Endara's statements at the end of the meeting with the OAS mission and the other parties—COLINA and the Defense Forces—involved in the crisis. The meeting was held at the Vallarino Building on Elvira Mendez street near the Executive Hotel. More than 100 opposition members gathered around the building chanting opposition slogans. The wives of imprisoned military men were also there. They carried signs demanding their husbands' release.

Report Denounces U.S. Army 'Provocations'

PA1507230389 Panama City Televisora Nacional in Spanish 2300 GMT 14 Jul 89

[Text] As part of a series of provocations against our country, U.S. Army soldiers, who are not stationed in Panama, left Albrook Air Force Base this morning in tanks, trucks, and other military vehicles for an unknown destination to conduct military excercises. Military units had to stop traffic on a busy road to allow the heavy military equipment to pass. This display of military hardware, such as trucks armed with .50-caliber machineguns, in this unilateral U.S. Army action has been reported by the Panamanian representative at the Combined Board as one of the many violations of the Torrijos-Carter Treaties. This action demonstrates that that the United States continues its psychological warfare against the civilian and military population in Panama City, since these exercises are held only a few meters from the capital city. These arrogant displays of U.S. military might have reached the point of absurdity.

U.S. Intervention Decried

PA1407165189 Panama City CRITICA in Spanish 13 Jul 89 pp 2, 16

[Communique issued by the National Committee for the Defense of Sovereignty and Peace, CONADESOPAZ—date and place not given]

[Text] The world has witnessed in astonishment the new phase of the U.S. intervention in Panama. The recent arrogant statements by Brigadier General Mark Cisneros, commander of the U.S. Army South, detailing plans for a military invasion of Panama, along with the intensification of U.S. military deployments in Panama's urban areas, demonstrates that what we are witnessing is not a simple threat of invasion, but an ongoing, treacherous, Machiavellian plan to occupy Panama. This plan is to be carried out in stages, avoiding outright confrontations, but gradually increasing the military occupation of Panamanian territory through a confrontation between U.S. and Panamanian forces.

This plan would lead to a gradual blurring of Panama's territorial limits as a result of the activities to be carried out by the interventionist troops. Our country would gradually become like Lebanon, which would be to the advantage of U.S. geopolitical interests. Because of all this, we conclude that the current situation in Panama reveals a newly devised model of aggression, which is

being tested in our country. This represents a threat to the world, and, consequently, to the security and respect for the sovereignty of the Latin American peoples.

Recent postwar history contains striking examples of nations that never foresaw or dreamed that their integrity might be jeopardized or trampled upon because of the machinations of the voracious, imperialist power. However, the examples of Vietnam, which has been divided into North and South Vietnam and which for 30 years has been engaged in a struggle for reunification, Korea, whose division is continuously abetted by U.S. occupation troops, and more recently, Lebanon, provide irrefutable evidence of the threat that looms over Panama and Latin America.

We demand an end to the multifaceted U.S. economic and diplomatic propaganda and the military aggression against Panama. We demand full and immediate compliance with the Torrijos-Carter Treaties, and we most vehemently and patriotically protest the arrogant and overbearing statements made by Gen Cisneros, who is a nefarious representative of the new model of U.S. imperialism and neocolonialism.

Marcelino Jaen, president

Alma de Fletcher, member of the bureau

Dr Juan Carlos Mas, executive secretary

Nemesio Lopez Zapata, organizational secretary

Argentina

Menem To Meet Brazil's Sarney 21-22 August

PY1507150089 Buenos Aires NOTICIAS ARGENTINAS in Spanish 2321 GMT 14 Jul 89

[Text] The Foreign Ministry has officially reported that President Carlos Menem will visit Brazil from 21 to 22 August to meet with President Jose Sarney.

Raul Carignano, Foreign Ministry secretary for Latin American Affairs, and the Brazilian ambassador to Argentina have taken all the necessary steps to make the trip possible.

The agenda for Menem's trip has not been announced yet. The only concrete information so far is that President Menem will meet with President Sarney.

Menem Criticizes 'Savage' Price Markups

PY1407015689 Buenos Aires TELAM in Spanish 0159 GMT 13 Jul 89

[Text] Buenos Aires, 12 Jul (TELAM)—Economy Minister Miguel Roig today said he "trusts" that before the end of the week he will reach a price agreement with the 500 leading price-setting firms. Meanwhile, President Menem expressed "alarm" at the "truly savage pace of the price markups."

Roig made this comment to TELAM before entering the Banco de la Nacion building to administer the oath of office to new bank president Hugo Santilli. Menem's remarks were made after the ceremony in which Edgardo Civit Evans was installed as Mortgage Bank trustee. The president called on all social sectors "to try to make their interest compatible with those of the Argentine people."

Economy Minister Roig and Interior Commerce Secretary Pablo Challu held various meetings with businessmen during the afternoon.

Menem said he was not against shoppers' or investors' profits but warned: "No one should invest to steal."

After expressing "alarm" over the "savage pace" of the prime markups, the president said "many people had to steal because they were hungry." He added: "Some people are in jail without deserving it. Others deserve it but are on the outside."

Regarding the country's difficulties, Menem said he was not asking the people to emulate the mayor of Florencio Varela who rides a bicycle to work, or Mendoza Governor Bordon who walks to work, but the president added that they should be taken as "symbolic examples" of the crisis.

Reportage on Economy Ministry Succession

Roig Dies of Heart Attack

PY1407200389 Buenos Aires NOTICIAS ARGENTINAS in Spanish 1946 GMT 14 Jul 89

[Text] Buenos Aires, 14 Jul (NA)—Argentine Economy Minister Miguel Angel Roig died this afternoon of a heart attack.

The announcement was made at 1640 by Senate Provisional President Eduardo Menem.

Menem Confirmed Economic Plan

PY1407223189 Buenos Aires TELAM in Spanish 2219 GMT 14 Jul 89

[Text] Buenos Aires, 14 Jul (TELAM)—President Carlos Menem tonight confirmed that his government will continue to implement its economic plan and that its economic measures will be "intensified," presidential spokesman Humberto Toledo said.

The spokesman said Menem will announce tonight the name of the new economy minister.

Bauza Named Acting Economy Minister

PY1507030689 Buenos Aires TELAM in Spanish 0253 GMT 15 Jul 89

[Text] Buenos Aires, 14 Jul (TELAM)—President Carlos Menem tonight appointed Interior Minister Eduardo Bauza as acting economy minister, a Government House source reported.

The source added that Menem has already signed the appropriate decree.

Rapanelli Named Economy Minister

PY1507034689 Buenos Aires TELAM in Spanish 0338 GMT 15 Jul 89

[Text] Buenos Aires, 15 Jul (TELAM)—President Carlos Menem has appointed Nestor Rapanelli as economy minister to replace Miguel Roig, who died in Buenos Aires yesterday.

This announcement was made by presidential spokesman Humberto Toledo at 0035 [0355 GMT].

Biographic Details of Rapanelli

PY1507135289 Buenos Aires TELAM in Spanish 0347 GMT 15 Jul 89

[Text] Buenos Aires, 15 Jul (TELAM)—The naming of Nestor Rapanelli, a businessman of the Bunge & Born Group, to replace Miguel Roig, who died yesterday in Buenos Aires, confirms the economic policy that President Carlos Menem has implemented.

The chief of state's decision to offer the Economy Ministry post to a person from the same business group as Roig means that the plans that Roig implemented will be continued. Those plans include the signing of an agreement on prices to "brake" the drastic price increases that have taken place since 3 July.

Rapanelli, who is currently the vice president of the business group, was responsible for the link between Bunge & Born and the Justicialist Party. The guidelines of the new economic policy that was implemented on 9 July were outlined as soon as the link was forged.

The new economy minister had replaced Roig on the Bunge & Born board of directors. Before that he was president of the Molinos del Rio de la Plata Enterprise, and he was also in charge of the same company in Venezuela.

The death of Roig occurred just before the signing of a price agreement, which is considered fundamental to the success of the anti-inflationary program that has been implemented.

Rapanelli's advent to the Economy Ministry is considered "vital" for the ratification of the commitment by the enterprises that set prices.

Roig's Policies To Be Continued

PY1507143889 Buenos Aires TELAM in Spanish 1252 GMT 15 Jul 89

[Text] Buenos Aires, 15 Jul (TELAM)—Economy Minister-designate Nestor Rapanelli has confirmed that he will "continue with Miguel Angel Roig's policy" and that on "Monday, [17 July] or Tuesday a price agreement that should lead to a social pact among the business sector, the government, and the working class will be signed." He also said that the salary increase for this month "should match the increase in prices."

Rapanelli, who at noon today will become economy minister following the death of Miguel Roig, said that he will continue Roig's policy, which, "in turn, is President Menem's policy." He stated: "I was one of the main representatives of the business sector in the discussions on a price agreement, in which obvious progress has been made and the conditions, based on certain criteria, have been established for an immediate agreement."

In statements to Radio Mitre, the future minister added that "the agreement, postponed because of the regrettable death of Miguel Roig, will be signed on Monday or Tuesday."

Rapanelli added: "The prices must definitely become stabilized in July but, although I am sorry to have to say so, I think some adjustments will still have to be made because of the impact that utility rate increases have had. I also want to point out, however, that the salary adjustment for this month must match the increase in prices."

He explained: "When I say that the economy should clearly begin to stabilize in July, I do not mean that inflation will disappear in August, but that a change in tendency will be noticeable, very significant."

He then said that he hopes to "enjoy the confidence of the business sector in order to continue the rapprochement begun by Roig, which must lead not only to a price agreement but also to a social pact."

"The workers and businessmen will cooperate. Each and every sector must do its share, but it should also be pointed out that the state must cooperate to ease the burden on the taxpayers, because it is also one of the causes of inflation."

Rapanelli added: "My intention is to try to disclose what we intend to achieve in the short and medium term, so that everyone will have a reason to cooperate. It is not just a matter of cooperating; it is a matter of giving an account of the results of that cooperation."

When asked about the participation of the minister of public works and services in streamlining the economy, Rapanelli answered: "We have held many meetings with Roberto Dromi, and I must admit that I was impressed by what he has done. There are clear signs that things are going as expected. Proof of this is what we have witnessed in YPF [Government Oil Deposits] and ENTEL [National Telecommunications Enterprise]

He added that although concrete measures have not yet been taken, "it was necessary to start off the way we did in order to make concrete achievements. We would have no chance of success if we had a good economic program that was not backed by state reforms."

Nestor Rapanelli, 60, born in Bahia Blanca, is married and has three children and six grandchildren. He obtained a university degree in chemical engineering in Peru.

He is currently vice president of Bunge & Born, where he has worked for the past 39 years and where he also replaced late Minister Roig.

Rapanelli currently is also vice president of the Institute for the Development of Executives in Argentina (IDEA), and of the Christian Businessmen's Association. He is also a member of the Latin American Economic Research Foundation.

For 13 years Rapanelli was also vice president and general manager of the Molinos del Rio de la Plata Enterprise.

New Economic Minister Sworn In

PY1507164889 Buenos Aires TELAM in Spanish 1635 GMT 15 Jul 89

[Text] Buenos Aires, 15 Jul (TELAM)—President Carlos Menem has sworn in Nestor Rapanelli as the new economy minister. Rapanelli will replace Miguel Roig, who died yesterday.

The swearing-in ceremony took place just after 1320 [1620 GMT] in the White Hall of Government House after Government Notary General Pedro Echegaray read the appropriate legal document.

Rapanelli Confirms Economic Team

PY1507212089 Buenos Aires NOTICIAS ARGENTINAS in Spanish 2100 GMT 15 Jul 89

[Text] Buenos Aires, 15 Jul (NA)—Economy Minister Nestor Mario Rapanelli today confirmed all members of his economic team and announced that a list of 10 staples with controlled prices will be released tonight.

Economic Coordination Secretary Orlando Ferreres reported that a price agreement with leading companies will be ready by 17 or 18 July. He announced that the executive branch will submit the Economic Emergency Bill to Congress on 17 July.

Price Agreement Negotiations Deadlocked

PY1507002889 Buenos Aires BUENOS AIRES HERALD in English 14 Jul 89 p 3

[Text] The economic team yesterday continued frantic negotiations with business leaders to seal a price agreement that would last until late October.

The government officials were seeking to establish "permanent rules of the game" or otherwise, they said, they would resort to a price freeze.

Hopes that the price agreement on some 200 products would be signed today vanished yesterday when several industrialists objected to some of the provisos included in the pact.

The economic team came up yesterday with the "final rules" for the accord, which stipulate that 80 percent of the higher costs registered since the Radical administration last held negotiations with the industrialists would be authorized, while the remaining 20 percent should be absorbed by businessmen.

This was one of the sources of friction, since the business leaders refused to go ahead with any agreement that didn't include the latest hikes which affected their costs—a 500 percent increase in public utility rates, the 56 percent devaluation and an as yet indefinite wage hike—even though, they admitted, most companies had previously built a substantial price "cushion" to protect themselves against the hikes.

Sources pointed out yesterday that despite his strong statements against some businessmen, President Carlos Menem was reluctant to come out full force against them so as to make negotiations easier, since the business sector is far from homogeneous in its position with respect to the price pact.

The sources confirmed that Economy Minister Miguel Roig, together with his closest aides, Economic Coordination, Domestic Trade and Economic Performance Secretaries Orlando Fererres, Pablo Challu and Eduardo Curia respectively, continued trying to seal the agreement with the price-forming companies, despite a good deal of confrontations, precisely with those businessmen that were considered allies.

The basic strategy now is to strike an agreement with some 500 leading companies and most of the smaller trade organizations in order to establish "indicative prices" for between 200 and 300 products.

Domestic Trade Secretariat sources pointed out that a final accord would allow them to repeal the maximum price system and the decree calling for prices to be backdated to July 3, which, in turn, would be a step towards revoking the controversial Supply Law.

But the sources warned that unless a pact is signed by Monday, the government would have to decree a price freeze.

Congressional source pointed out that most legislators are losing their patience.

Such was the case with Peronist deputy Jorge Matzkin and Christian Democrat Alberto Aramouni, who called on Menem to act against the price markups.

The president's brother, Provisional Senate President Eduardo Menem, called on businessmen to take prices back to July 3, "otherwise we will use the Supply Law and establish a firm price control" since "we can't go on fooling around like this."

Price Agreement Announced

PY1707000489 Buenos Aires DYN in Spanish 2310 GMT 16 Jul 89

[Text] Buenos Aires, 16 Jul (DYN)—At 1800 [2100 GMT] tomorrow the Argentine Government and the 300 leading companies of the country will sign a price agreement that will last 90 days. Prices will remain fixed at the level of 15 July. Economy Minister Nestor Rapanelli made this announcement in the course of a news conference this afternoon at the situation room of Government House. Public Works and Services Minister Roberto Dromi and Labor Minister Jorge Triaca were also at the news conference.

Minister Triaca said that the salaries to be agreed upon by the labor-management bargaining committees for July will remain in effect until 30 September. Minister Dromi added that during this period utility rates will not be increased.

These issues are part of the Economic Emergency and State Reorganization Bill that will be considered tonight by the Argentine cabinet with President Carlos Menem presiding.

The three ministers indicated that the price agreement is the initial step toward a social pact among the various social sectors.

Agreement To Be Signed 17 Jul

PY1607231089 Buenos Aires NOTICIAS ARGENTINAS in Spanish 1905 GMT 16 Jul 89

[Text] Buenos Aires, 16 Jul (NA)—Tomorrow the government and about 200 to 300 important companies will sign a price agreement for 90 days. During that period utility rates and the exchange rate will not be changed, but this does not mean that the prices will be lowered to earlier levels.

The agreement in principle will reportedly be signed by Economy Minister Nestor Rapanelli, who said that President Carlos Menem does not plan to attend the ceremony.

Rapanelli said that the prices will not be lower than the current prices. It had been said that many prices would be reduced to what they were on 3 July.

The agreement was to have been signed this weekend, but the unexpected death of former Minister Miguel Roig postponed the event.

Although the general guidelines of the agreement have been established by the parties, there are still disagreements on what percentage of the costs will be absorbed by the companies. Some people talk about 20 percent, but others say it should be 25 percent.

The Finance Secretariat believes that continued very high prices could result in high inflation, which is already estimated at 150 to 170 percent for this month.

The basis for the bilateral agreement considers, above all, the change in the cost of doing business since 15 June, including the recent utility rate hike, the exchange rate, and the salary increase this month.

After the cost level is defined, then the so-called business "contribution" of 20 or 25 percent will be established. The remaining cost will be transferred to prices, which means that many prices could be higher than current ones, after the agreement is signed.

The companies will guarantee the appropriate supply of the products included in the agreement.

For 90 days the government will not change the exchange rate and or the utility rates, and it will guarantee a one-digit interest rate.

It has not yet been decided whether the 90-day period will be included in the agreement to be signed.

The clause establishing that no workers will be suspended or dismissed will be omitted, because this issue will be negotiated by the labor-management bargaining commissions.

A mixed commission will be created to study possible changes to the Supply Law.

The Commerce Secretariat will release a resolution giving details of the prices of all the products included in the agreement.

The economic affairs secretary, Eduardo Curia, said that establishing prices will lead "to the restoral of the purchasing power of money, as a result of lower inflation and the salary increases to be implemented this month."

Last of Menem's New Top Brass Installed

Navy Chief of Staff Installed

PY1407153889 Buenos Aires TELAM in Spanish 1444 GMT 14 Jul 89

[Text] Buenos Aires, 14 Jul (TELAM)—Defense Minister Italo Luder and Chief of the Joint Staff Vice Admiral Emilio Osses today installed Vice Admiral Jorge Osvaldo Ferrer as Navy chief of staff. The ceremony was held just after 1100 [1400 GMT] at the heliport of the Libertad Building, headquarters of the Navy Staff.

Also participating in the ceremony were outgoing Navy Chief Admiral Ramon Arosa, national congressmen, and other authorities.

Ferrer, Army Commanders Sworn In

PY1707012889 Buenos Aires BUENOS AIRES HERALD in English 15 Jul 89 p 11

[Text] Admiral Jorge Osvaldo Ferrer was sworn in as the new Navy chief-of-staff yesterday, replacing outgoing Chief-of-Staff Admiral Ramon Arosa in the last of the ceremonies to install the new top brass.

The ceremony was held at the helicopter port of the Argentine naval headquarters and was presided over by Defence Minister Italo Luder.

Ferrer took the traditional oath of "discipline and courage" (subordinacion y valor) from his officers and non-commissioned officers.

Prior to Ferrer's swearing-in, Rear Admiral Antonio Jose Mozzarelli took the oath of office as the new Navy Deputy Chief-of-Staff, replacing Vice-Admiral Maximo Rivero Kelly.

In a farewell speech, Arosa pointed out that he had spent three quarters (43 years) of his life in the Navy, including five years at the top.

"It would be arrogant of me to assess my performance (as Navy Chief-of-Staff), both because it (may be) too early and due to the possible distortion which an objective view would inflict on the final analysis," Arosa said.

After expressing acknowledgement to his colleagues in other naval forces of the world, from whom he learned, (and agreed) that "the specialists of war are here mostly to secure and preserve peace," Arosa urged his subordinates to remain loyal to "the commitment to serve society."

Incoming Navy Chief-of-Staff Jorge Ferrer, in turn said that he took over control of the Navy "with much joy, love, faith and enthusiasm."

Ferrer said that the Argentine Navy "must emphatically exert the nation's integral naval power and push ahead with Argentine maritime interests in all areas (of interest)."

The newly appointed Chief-of-Staff said the Navy must pursue "total human and military integration with both the Army and the Air Force in order to consolidate a strong military force" while he expressed hope that a conclusive national reconciliation "and the definite reunion of all Argentines" would be achieved.

Joint Armed Forces Chief-of-Staff Emilio Osses, Air Force Chief-of-Staff Jose Antonio Julia and his predecessor Ernesto Crespo, Defence Secretary Humberto Romero and former President Arturo Frondizi were among the people who attended the ceremony.

In related developments, Army Chief-of-Staff General Isidro Caceres alluded to the "reconciliation mass," which will be attended by former Montonero terrorists and military officers, and expressed himself in favour of "any gesture of repentance and pacification" which can end confrontation between the Argentine people.

Caceres said that "the Army is subordinated to political power" and denied the alleged existence of an accord whereby the Villa Martelli military crisis would be resolved.

Caceres made these statements after presiding over the ceremonies in which the Fifth, Fourth and Third Army Corps Commanders were sworn in. In Bahia Blanca, General Raul Gomez Sabaini took the oath of office as Fifth Army Corps commander while General Jorge Apa was sworn in as Fourth Army Corps Commander in La Pampa. In Cordoba, General Albert Maffey took over the helm of the Army's Third Corps.

In statements made to reporters, Caceres explained that the situation of rebel leaders Aldo Rico and Mohammed Ali Seineldin "is being analyzed" by the Army authorities and denied that the latter asked to be passed into retirement.

When asked his opinion of President Carlos Menem, the Corrientes-born Army Chief-of-Staff replied that "he (Menem) is a man like us...a simple man who lends a hand and gives his word."

Meanwhile, Senate Defence Committee chairman Horacio Bravo Herrera said that "it is a priority to grant an amnesty to the military officers accused of human rights violations during the "dirty war" anti-terrorist campaign, and referred to the Armed Forces' vindication as a "moral need." He extended the need for vindication to the Malvinas War but said he agreed with President Menem's cease-fire call.

In statements made to reporters, Bravo Herrera criticized former Army Chief-of-Staff Francisco Gassino's term in office, saying that "the Army's internal conflicts were not resolved, which is why Rico and Seineldin are still in jail," and further claimed that it is in the new government's power to put an end to the military problem. The Salta senator praised Luder's appointment as defence minister and said that the Armed Forces budget should be increased.

Army Installs Sabaini

PY1407150089 Buenos Aires TELAM in Spanish 1253 GMT 14 Jul 89

[Excerpt] Bahia Blanca, 14 Jul (TELAM)—Army Chief of Staff General Isidro Bonifacio Caceres today installed General Raul Julio Gomez Sabaini as the new commander of the Army's V Corps, based in this city, and at the same time said farewell to General Osvaldo Cordoba, the former commander. [passage omitted]

Julia Submits Air Force Leadership Nominations

PY1407132889 Buenos Aires NOTICIAS ARGENTINAS in Spanish 2340 GMT 13 Jul 89

[Excerpts] Buenos Aires, 13 Jul (NA)—Air Force Chief of Staff Brigadier Jose Julia today submitted to the executive branch a list of officers whom he is proposing for the Air Force leadership.
Following are the names that have been submitted to the Defense Ministry:
Brigadier Tomas Rodriguez as deputy chief of staff.
Brigadier Henry Ronald Graton as training commander.
Brigadier Hector Sambrizzi as materiel commander.
Brigadier Alberto Alegria as Air Force regions commander.
Brigadier Hector Gilovert as air operations commander.

With Brigadier Rodriguez named as deputy chief of staff, Brigadiers Juan Carlos Correa and Hector Testri must retire from the force. The appointment of the other brigadiers requires that Brigadiers Juan Correa Cuenca, Luis Galindo, and Jorge Martinez also retire. [passage omitted]

Independence Party, Military Propose Solution
PY1407235989 Buenos Aires NOTICIAS ARGENTINAS in Spanish 2112 GMT 13 Jul 89

[Quotation marks as received]

[Text] Buenos Aires, 13 Jul (NA)—According to a document that will be delivered to Defense Minister Italo Luder tomorrow, the members of the so-called "National Army" demand "only the right to serve their fatherland with dignity and honor and to feel respected and acknowledged by their fellow countrymen."

According to its authorities, the document was drawn up by members of the Independence Party [Partido Por La Independencia] and a group of military officers echoing the feeling of a significant sector within the Army."

The document states that the members of the Armed Forces, who now form what is known as the sector of "Painted Faces," have "helplessly witnessed the political and economic failure of the national reorganization process."

"Therefore, the people believe that they should meekly lower their heads when the armed institutions are blamed for having burdened the country with a heavy 'foreign debt' that mortgages the future for several Argentine generations."

The document, signed by the leaders of the Independence Party Jorge Giarini, Roberto Echenique, and Hugo Esteva, puts forward their solution to the so-called military problem in a paragraph entitled "The Indispensable Basis From Which To Appease And To Achieve Reconciliation."

The first point states: "The encouragement of a reconciliatory spirit and the unity of the Argentine Army must be broad and generous so that the wounds may heal by pursuing the common objective: To serve national interests."

The second point refers to a "sincere will expressed through concrete deeds by all parties, seeking to overcome rancors, humiliation, resentment, hatred, intolerance, selfishness, and other human weaknesses contrary to the spirit of reconciliation and unity."

As a last key issue to solve the military problem, the document states that a "desire for amendment, by recognizing and correcting mutual mistakes," must be promoted.

"We must specifically identify those who probably used the wrong procedures because they did not have commanders at the necessary moment who could show examplary behavior and be capable or willing to assume their moral and legal responsibilities before history and impose discipline on their subordinates."

A copy of the document will also be sent to the heads of the defense committees of the Senate and the Chamber of Deputies.

Bolivia

Students Accuse Police, FBI of 'Torture'
PY1507195889 La Paz PRESENCIA in Spanish 8 Jul 89 p 7

[Excerpts] Constantino Yujra, Felix Fernando Encinas Laguna, and Juan Nelson Encinas Laguna, who said they are "supporters" of the "Zarate Willka Armed Forces of Liberation" group, charged that they suffered psychological and physical torture at the hands of police and FBI agents.

The three students of the Greater University of San Andres (UMSA), together with physician Gabriel Rojas—who denied belonging to the armed group—met with the media yesterday in the San Pedro prison director's office. [passage omitted]

The three students said that when the police raided their homes they only found Marxist literature and books on politics that are among their university texts, but no weapons or explosives.

Constantino Yujra refused to answer questions regarding the 8 December terrorist attack against Shultz. He said: "I do not want to talk about that because the court will determine the degree of responsibility in that case. But we are convinced that no excesses have been committed."

The police have accused Yujra, a psychology student, of having participated in the attack against Shultz, who was U.S. secretary of state at that time. Yujra asserted: If we are responsible for some incidents, our acts were "motivated by our christian faith because we cannot remain indifferent to this dramatic situation of misery, hunger, and sadness of our people. Our acts have been motivated by these principles and ideals."

According to Yujra's statement it is calculated that the group was founded in 1986 or late 1987.

The Encinas brothers also refused to talk to the media, and they said the court will establish their degree of responsibility. Felix Encinas said: "We have not seen our lawyers; therefore, we cannot talk."

Nevertheless, he added that they had never acted as "paramilitary agents" as had been stated by the police. He noted: "Our ideals have been based on our peoples' aspirations."

Juan Nelson also denied the police charges that they were paramilitary agents and said: "If we die or something happens to us, it will happen as we are fighting for the people." [passage omitted]

UMOPAR, DEA Accused of Repressive Acts

PY1407030889 La Paz PRESENCIA in Spanish 3 Jul 89 2d section p 5

[Text] David Anez, leader of the bloc of congressmen from Beni Department, said yesterday that "the Beni people are periodically suffering retaliatory attacks by UMOPAR [Mobile Units for Rural Areas] and DEA agents, who are actively engaged in repressive actions against the civilian population, not against drug traffickers." Anez made these remarks while commenting on last week's incidents in Santa Ana de Yacuma.

Anez charged that the attacks are perpetrated against "open, peaceful civilians; that is, against citizens who are in no way involved in the drug trade. Nevertheless, they are murdered or harassed in ways not in keeping with the democratic atmosphere that should prevail in the country."

Anez said the people of Santa Ana are restless and that all Beni Department organizations are alert to demand that the government assume responsibility for the recent incidents.

Anez announced that, as leader of the Beni congressional bloc, he sent a letter to president Victor Paz Estenssoro in which he outlines the issue the government must address to prevent further clashes between civilians and security forces.

Anez said the government must address the antidrug struggle in Beni Department from the institutional, social, political, and international standpoints because the drug trade goes beyond Beni borders; it is an international activity that has built an economic empire far more powerful than the Beni people, all Bolivians, and than the Bolivian Government itself.

U.S. Government Grants Funds for Mining Sector

PY1407145089 La Paz La Red Panamericana in Spanish 1130 GMT 14 Jul 89

[Text] The U.S. and Bolivian Governments have signed a $2-million accord to revitalize the Bolivian mining sector. The accord, which is financed by the U.S. trade and development program, was signed by Planning Minister Fernando Romero and U.S. Ambassador to Bolivia Roberto Gelbard.

The accord envisions a two-stage program for prospecting for minerals and metals from Bolivia's renowned mineral resources, thus promoting investment in this sector.

The first stage provides for a study that includes the publication of a manual for analyzing the institutional and geological features of the mining sector.

The second stage, which will be longer and (?which will be in force) for 2 years, will include the preparation of a new report on mineral resources in the high plateau and in the western mountain range. The report will include summaries on minerals which are known to exist in Bolivia, such as gold, silver, tin, and nonmetallic minerals. The study will also report on the concentration and weight of mineral deposits.

The studies will be conducted with the cooperation of the Ministry of Mining and Metallurgy, the Bolivian Geological Service, and the Bolivian Government Oil Depostis Company.

Brazil

Sarney Continues State Visit to France

Sarney, Gandhi Discuss Cooperation

PY1507033889 Brasilia Domestic Service in Portuguese 2200 GMT 14 Jul 89

[Report from Paris by Lourival Macedo]

[Text] President Jose Sarney has described as extremely important a meeting with Indian Prime Minister Rajiv Gandhi. The meeting, which lasted a little over half an hour, was held this afternoon at the Saint James Residence, where President Jose Sarney is staying.

The two heads of state decided to create a high-level Brazilian-Indian commission to study the areas in which the two countries can implement cooperation programs.

[Begin Sarney recording] For a long time we have wanted to discuss with the Indian Government the possibility of cooperation.

We are countries of the same level and with the same problems; we suffer the same international restrictions concerning new technologies. We must unite so that we can break those barriers. [end recording]

President Sarney reasserted that the Brazilian policy involves becoming stronger through broad alliances with countries of the same level of development in order to break the protectionist barriers, the economic sanctions, and everything that keeps us from gaining access to high technology.

[Begin Sarney recording] I just told Minister Gandhi that the future will not belong to the small countries or to the big countries, but to those countries that master or do not master high technology. If we do not achieve this, we will suffer a colonization much worse than the one we suffered in the past, because the future colonization will be a cultural, scientific, and technological one. [end recording]

President Jose Sarney will return to Brasilia this Saturday, after first meeting with Portuguese Prime Minister Mario Soares. The president will board his airplane at Orly Airport at 1400. Due to the 5-hour time difference between Paris and Brasilia, he is scheduled to disembark at the Air Force base in Brasilia at 1930.

President Sarney, along with 33 other heads of state here in Paris, is now attending the Marseillese celebration, crowning the commemoration of the bicentennial of the French Revolution. This celebration is taking place along Champs-Elysees Avenue, where the Arch of Triumph is located. The celebration includes a performance by a 250 member choir, the Great Marseillese opera-ballet with (Jean Paul Gold), and the participation of 6,000 artists from several countries.

French Advocacy Urged

AU1407132289 Paris AFP in English 1239 GMT 14 Jul 89

[Text] Paris, July 14 (AFP) - Brazilian President Jose Sarney has asked President Francois Mitterrand of France to speak up on behalf of Latin America's desire for North-South dialogue on major world political and economic problems, at this week's summit of seven leading industrial nations.

In a letter whose text became available to AFP Friday, Mr. Sarney said that despite "repeated alarm signals" and numerous individual and collective initiatives, it had proved impossible to date to "establish an international process of reflection and negotiation in order to counter the problems of the end of the century in a systematic way".

Alluding to the seven-nation summit here, he cautioned that "no country or group of countries, however strong, can claim to carry out that task alone".

Like other under-developed regions, Latin America was the victim of problems, particularly debt, for which a solution was largely out of its own reach, Mr. Sarney said.

He asked Mr. Mitterrand to advocate Latin America's call for "full, open and wholly objective dialogue".

Mr. Sarney is among Third World leaders invited to attend celebrations for the bicentenary of the French revolution. He remarked in his letter that the revolution had yet to take place at the international level, given the growth of inequalities among nations.

His plea echoes an appeal issued here the previous day by the leaders of Egypt, India, Senegal and Venezuela for an early North-South meeting on world economic and environmental issues.

Sarney on Debt, Environment

PY1707014089 Brasilia Radio Nacional da Amazonia Network in Portuguese 1000 GMT 14 Jul 89

[Comments by President Jose Sarney during "Chatting by the Radio" program; date, place not given—recorded]

[Excerpts] Good morning, Brazilians. I am President Jose Sarney addressing you on Friday, 14 July 1989 during my "Chatting by the Radio" program. Today is a great day in the world because it marks the bicentennial of the 1789 French Revolution, which is a landmark in modern history. [passage omitted]

As you know, I am in Paris discharging my diplomatic duties as president, which mark a new stage in our foreign policy. It is the president's duty to represent his country. [passage omitted]

I also had a chance to meet with Philippines President Corazon Aquino and with the Senegalese president. In a word, I met with all the chiefs of state who are here in Paris in order to analyze problems that are common to us all.

We talked a lot about the foreign debt. Latin America has reached a consensus on the issue. The foreign debt problem will not be solved without a reduction of the debt and without rapid negotiations, not just any type of negotiations, but negotiations that can solve the problem. We have engaged in many talks, but now we need one final agreement. It was a frank and open dialogue between brother countries which have common ideas to face common problems. [passage omitted]

On recalling the French Revolution, we would like to reiterate our demand for another great revolution, a worldwide revolution involving a new economic order and ending protectionism, sanctions, and the policy of the powerful imposing their decisions on the weaker. This new revolution means disarmament, the elimination of regional conflicts, self-determination, nonintervention in the domestic affairs of nations, the equality of states, and a joint effort to preserve our planet and the environment—all of which will be done in a detached manner, on the basis of cooperation, not of coercion.

All of us know that our planet is currently sick due to air pollution and the damage caused to the ozone layer. We must save it. We will do our share. The developed

countries should do their own, but they should do it with determination, without emotional prejudices, and without ignoring the real problem, which is the problem posed by industrial civilization, a civilization that has caused serious harm to our planet. In fact, it has modified the climate, the atmosphere, and the ozone layer, which protects the planet and which permits the development of life.

Consequently, I believe that the message that we could now release in France should be a demand for that new revolution, for an end to the economic oppression that is burdening the countries that are trying to grow in freedom, like Brazil. Brazil is a great democracy, with strong institutions, which can neither step back nor hesitate under economic solutions imposed from abroad.

Brazilians, to conclude I want to inform you that we have postponed the payment of certain foreign debt obligations in order to preserve our reserves and create conditions that will allow my successor to negotiate firmly and maintain our foreign trade.

As you all know I am trying to fulfill my duty at a high political cost to myself, without ever resorting to demagoguery and refusing to take popular measures that could prove to be harmful to our economy. I truly want to turn over the country to my successor under conditions that will allow him to negotiate Brazil's foreign debt problems and to resolve the country's economic problems under conditions which I did not enjoy. I am working to create those conditions, and, as I have always said, we will win. I have been struggling and I will continue to struggle. Good day and thank you very much.

Colombia

Venezuelan President's Brother-in-Law Kidnapped

PA1707022389 Buenos Aires REUTER in Spanish 2312 GMT 16 Jul 89

[Text] Bogota, 16 Jul (REUTER)—Colombian newspapers today reported approximately 20 guerrillas were killed during a Colombian Army offensive launched on the border with Venezuela, where guerrillas yesterday kidnapped the brother-in-law of Venezuelan President Carlos Andres Perez.

National Defense Minister General Oscar Botero Restrepo, who was appointed today, said the Army launched an offensive in Santander and Norte de Santander Departments and Arauca Intendance, adding that there were guerrilla casualties.

Rodriguez, brother of Venezuelan First Lady Blanca Rodriguez de Perez and a former Venezuelan consul in the city of Cucuta, was kidnapped on a farm in Norte de Santander Department by four armed persons who claimed to belong to the Peoples Liberation Army. His family asked the captors to give him medication for his illness.

According to the newspapers, approximately 20 guerrillas of the pro-Cuban Army of National Liberation [ELN] died in clashes during the Army's offensive on the border area.

Venezuela

Perez Relative Believed Kidnapped in Colombia

PA1507172289 Hamburg DPA in Spanish 1654 GMT 15 Jul 89

[Text] Caracas, 15 Jul (DPA)—Venezuelan President Carlos Andres Perez' brother-in-law was kidnapped in Colombia, according to family sources in Caracas. A report broadcast on a private television channel stated that unidentified assailants kidnapped Norberto Rodriguez—brother of Venezuela's First Lady Blanca Rodriguez de Perez—in Colombia's northern Santander Department, where he was tending to personal matters.

According to the television report, the Venezuelan Government contacted Colombian authorities to obtain more information on the incident. No reasons were given as to why Rodriguez' relatives fear that he might have been kidnapped.